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Journal of the House of Representatives

Thirty Second Session

Little Rock Arkansas

Monday January 13th 1879.

The body was dismissed on Legislature
Enrollment & accordance with the Constitution for
the meeting of the Second Assembly the members
of the House met at the hour of Ten o'clock A.M. in the Hall
of the House of Representatives, and a quorum being
present Mr. Speaker H. Dunton the 10th Sec.
Hon. Secretary of State to Order.

Mr. Hall of Pulaski nominated Rev J.W.
Bennett of Bradley Methodist Episcopal Church
who led in prayer

Mr. Dunton then upon motion
Mon. Hall of Pulaski, Stephens and Pickard
Committee of Mr. Baucum to the Chair

Whereupon Mr. Baucum took the Chair &
Dunton then upon Elected a Thereupon
Mr. Speaker Pro Tempore Elected
Mr. Hall of Pulaski

The Legislature of business as announced by the
Constitution by the Secretary of State
Mr. Speaker took the Chair & Members
Roll Call the General Assembly was about
Upon which Enrollment Act which is as follows; to
Wit:

Office of Secretary of State
Little Rock Arkansas

Mr. Speaker & Members of the General Assembly,

I have the honor to lay before the House of
Representatives the annexed list of members to that
body of the General Assembly of the State of Ark.
as returned on Election held on the second day
of September 1878 as provided for in Section 62 of
an act of the General Assembly, Approved
January 23d 1875. So said

Counties	Names
Arkansas	C. B Brinkley
Ashley	E L. Lane
Baxter	V. B. Tate
Benton	D H Williams and W. W Keith
Boone	N. S Black
Bradley	J. A. Barnett
Calhoun	C. H. & Richardson
Carroll	J. G. Morris
Chicot	J. N. Dickinson
Clark	J. H. Miller and N. N. Weir
Clay	Grant & Hollifield
Cleburne	J. C. Warren and J. E. Askew
Cleveland	Lewis Miller
Conway	J. A. Warren Jr.
Craighead	Dunn & Buckmore
Crawford	A. C. Brown
Crittenden	S. E Hare
Cross	William Crews
Dallas	L. A. Lindall
Desha	C. L. McMurtry
Green	C. E. Baptist
Garland	Joseph Haden
Hempstead	Elias Sumner
Hot Spring	John Archer
Howard	W. N. Barry
Independence	L. C. Keith
Izard	C. E Rucker elected at the
Jackson	final election Dec 28. 1878 vice
Jefferson	W. Steele deceased
Johnson	J. D. Conway and D. W. Hudson
Lafayette and Miller	G. W. Holder
Lawrence	Wm J. Lee
Lee	John G. Martin and J. Stubbs
Lincoln	W. E. Davidson
Little River	Charles Minor
Logan	J. D. Hudson & L. Dawson and W. C. Payn
Lonoke	Louis Pelton
Madison	J. C. Tyson
Marion	R. D. Mack
	J. P. Brown
	John G. Simmons
	G. D. Bates
	C. C. Biddy
	J. M. King and A. W. Dumpies
	W. C. Cleveland
	W. B. Flippin

Counties	Name of Members
Mississippi	Jno O Blackwood
Monroe	Cecil Bobo
Montgomery	J. H. Denby
Nevada	John E Londerman
Newton	W. R. Lee
Ouachita	John D. Beardon and O. A. Greening
Perry	Thomas Holmes
Phillips	Greenfield Quarles, Thos B. Hanley and W. R. Burke
Pike	H. W. Curtis
Poinsett	A. Joyner
Polk	E. H. Jordan
Pope	E. L. McCracken
Prairie	J. D. Thomas
Pulaski	W. J. Murphy, E L Munnas Isaac Gillam and Martin Emmott
Randolph	R. H. Black
Saline	Isaac Harrison
Scott	A. G. Washburn
Searcy	Isaac Burns
Sebastian	Wm McDiarmid and R H McConnell
Sevier	Lymo N Holman
Sharp	J. N. Davidson
St. Francis	Geo. P Taylor
Stone	J. N. Morris
Union	M. L. Jamison and Jno C Wright
Van Buren	James H. Fraser
Washington	W. C. Brady, W. J. Walker and E B. Mora
White	L. N. Brown and W. R. Cooley
Woodruff	D. E. Stanley
Yell	Geo S. Cunningham

I, D. B. Beaver Secretary of State of Arkansas do hereby certify that the foregoing is a correct list of the members of the present House of Representatives of the General Assembly of the State of Arkansas as appears by the returns now on file in my office.

In Testimony whereof I have hereunto set my hand and affixed my official seal at Little Rock on this the 15th Day of January 1879

L. S.

D. B. Beaver
Secretary of State.

Note A certificate was filed in my office on Oct. 18. 1878 from

County Clerk of Jefferson County certifying that Blackstone Watkins and L. J. Maxwell were duly elected Representatives from Jefferson County. The returns on file in this office show the election of J. A. Hudson A. A. Darrow and W. C. Payne

B. B. Beavers
Secretary of State

On Motion of Mr Braly the name of W. F. Walker was corrected to B. F. Walker as shown by returns of Secretary of State

Whereupon the Clerk proceeded to call the roll and the following members answered to their names Messrs. Aiken, Barnett, Barker, Bearden, Black of Boone, Black of Randolph, Bobo, Braly, Brewer, Brinkley, Britt, Brown of Lee, Brown of White, Burke, Burns, Carter, Chastain, Conway, Cobody, Creekmore, Cunningham, Davidson of Sharp, Davidson of Izard, Dawson, Denby, Dellinger, Dishaeck, Dillgrin, Fraser, Forbush, Gillam, Greening Hanley, Hare, Harrison, Hatson, Haldy, Holman, Hollifield, Hudson, Jamison, Jordan, Joiner, Keith, Kemp, Lee of Horace, Lee of Marion, Lonchamick, Love, Mack, Martin, Manwarey, McComic, McCracken, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Izard, Mayfield, Payne, Pindall, Priddy, Rawles, Riddick, Richardson, Rodden, Simmons, Simmott, Stanley, Nichols, Tate, Taylor, Thomas, Turner, Tyson, Walker of Columbia, Walker of Washington, Warner, Washburn, Weir, Williams, Wright. 83.

All of whom came forward to the bar of the House and thereupon the Hon E. W. English Chief Justice of the Supreme Court of Arkansas being present administered to each of them the Oath of office prescribed by the Constitution to which they severally subscribed their names

The following members came forward and answered to their names and took and subscribed the oath of office prescribed by the Constitution before Chief Justice English, to wit, Messrs. Archer, Blackwood, King, and McMurtry

On Motion of Mr Walker of Washington Mr Morris of Carroll was excused for absence on account of sickness

The House then proceeded to with the election of a permanent Speaker

Mr Stubbs of Independence placed in nomination the name of the Hon Jno T. Beardon of Ouachita

Mr Pindall of Yell placed in nomination the name of Mr Stanley of Phillips

Mr Priddy of Logan placed in nomination the name of Mr Fishback of Sebastian

Mr Date of Baxter placed in nomination the name of Mr Davidson of Sharp

The roll was then called and the following named members voted for Mr Beardon Messrs Askew, Barton, Black of Boone, Braly, Brewer, Britt, Curtis, Cluck, Conway, Canning, Crane, Greening, Hanly, Hobson, Holden, Holman, Jamison, Jordan, Kemp, Lee of Howard, Londirmilk, Love, McCracken, Miller of Clark, Minor, Moore, Richardson, Roden, Simmons, Stubbs, Taylor, Turner, Tyson, Walker of Columbia, Walker of Washington, Weir, Wright & Keith

The following named members voted for Mr Hanly Mess Blackwood, Bobo, Brumley, Brown of Lee, Brown of White, Burke, Cooley, Duncan, Feltan, Forbush, Hare, Hollifield, Hudson, Joyner, Martin, King, Maynard, McMurtry, Miller of Conway, Morris of Stone, Payne, Pindall, Quarles, Simmons, Thomas, Warren, and Beardon

The following named members voted for Mr Fishback Mess. Barnett, Burns, Creekmore, Duncan of Sharp, Dewberry, Dickson, Gillum, Harrison, Lee of Benton, McConnell, Murphy, Priddy, Washburn, and Williams

The following named members voted for Mr Davidson of Sharp Mess Archer, Black of Randolph, Davidson of Izard, Dishough, Dixon, Mack, Riddick of Stanley, and Date

Mr Bearden received 87 votes
Mr Hanly received 27 votes
Mr Dishback received 14 Votes
Mr Davidson received 9 votes
Whole number of votes cast 87
Necessary to a choice 44

No member voted for having received a majority of all the votes cast and there being no election the names of Mess Dishback & Mr Davidson were withdrawn and the roll was again called

The following named members voted for Mr Bearden Mess. Archey, Axtell, Barnett, Barton, Black of Boone, Braly, Brewer, Britt, Curtis, Chick, Conway, Crenshaw, Cunningham, Davidson of Sharp, Davidson of Izard, Denby, Dishback, Dupuis, Fraser, Gibbons, Greening, Hanly, Hobson, Holden, Holman, Jamison, Jordan, Keith, Kemp, Lee of Hardin, Lee of Benton, Lendrum, Lone, McCormick, McCracken, Miller of Clark, Minor, Moore, Murphy, Priddy, Richardson, Roden, Simmons, Stanley, Stubbs, Tate, Taylor, Turner, Tyson, Vaughn of Columbia, Warren of Washington, Washburn, Wear, Williams, and Wright.

The following named members voted for Mr Hanly Miss Bearden, Black of Randolph, Blackwood, Bobo, Brantley, Brown of Lee, Brown of White, Burke, Burns, Coady, Dunson, Felton, Forbush, Hare, Harrison, Holyfield, Hudson, Joyner, King, Mack, Martin, Mazzanti, McMurtry, Miller of Conway, Morris of Hempstead, Payne, Pindall, Quarles, Riddick, Sinnott, Thomas and Warren

Mr Bearden received 55 votes
Mr Hanly " 32
Whole number of votes cast 87.
Necessary to a choice 44.

Mr Bearden having received a majority of all the votes cast was declared to be legally chosen Speaker of the House of Representatives of the present session

On motion of Mr Hickson the chair appointed Messr Hanly, Fishback and Davidson of Sharp a Committee to wait upon the Speaker elect and conduct him to the chair.

The Committee having performed the duty entrusted to them

Mr Bearden took and subscribed the oath of office prescribed by the Constitution before Chief Justice English and entered upon the discharge of his duties

The House then proceeded to the election of a Clerk

Mr Davidson of Sharp placed in nomination the name of Mr Jno G. Holland of White County

The roll being called and the following named members voted for Mr Jno G. Holland Messr Archer, Atkeson Barnett, Black of Boone, Black of Randolph, Blackwood, Bobo, Brewer, Brumley, Brett, Brown of Lee, Brown of White, Burke, Burns Curtis, Clyde, Conway, Cooley, Greenmore, Cunningham, Davidson of Sharp, Davidson of Izard, Dawson, Dunbar, Dalton, Fraser, Forbush, Gillam, Greening, Hanly, Hare, Harrison, Hobson, Holden, Holman, Hudson, Jamison, Jordan, Joyner, Keith, Kemp, King, Lee of Conway, Lee of Newton, Lindermilk, Lore, Mack, Martin, Maynard, McConnell, McCracken, McMurtry, Miller of Clark, Miller of Conway, Minor, Moore, Morris, Murphy of Stone, Payne, Pindall, Priddy, Quarles, Riddick, Roden, Simmons, Simmott, Standley, Stubbs, Tate, Taylor Thomas, Turner, Tyson, Waller of Columbia, Waller of Washington, Warner, Washburn, Weir, Williams Wright, Braly and Mr Speaker

The whole number of votes cast during for Mr Holland, he was declared duly elected Chief Clerk of the House of Representatives for the present session and thereupon Mr Holland as Chief Clerk took and subscribed the oath of office as prescribed by the Constitution before Chief Justice English

and entered upon the discharge of his duties.

The House then proceeded to the election of Door Keeper.

Mr Fraser placed in nomination the name of Mr Jennings

Mr Williams of Conway placed in nomination the name of Mr Nations

Mr Harrison placed in nomination the name of Mr James

Mr Hibler of Clark placed in nomination the name of Mr Gillis but afterwards withdrew the name.

Mr Walker of Washington placed in nomination the name of Mr McDaniel

Mr Cooley placed in nomination the name of Mr Milner

Mr. Stephens placed in nomination the name of Mr Wilburn

Mr Duncan placed in nomination the name of Mr Clay but afterwards withdrew the name

Mr Dale placed in nomination the name of Mr McPherson

Mr Stanley placed in nomination the name of Thomas D. Evans of Phillips County.

Mr Lovelace placed in nomination the name of Mr Pirtle

Mr Hudson placed in nomination the name of Mr Jennings

The roll was then called and the following votes were cast Mr Jennings Messr. Curtis, Hubbard, Fraser, Purdy, Reed Rodin

The following members voted for Mr Nations. Mess Overstreet, Cummings, McCracken, Miller of Conway, and Dixon

The following members voted for Mr James. Mess Harrison, Maynard, and Miller of Clark

The following members voted for Mr Simmons Mess Hudson, McMurtry, Weir, and Wright.

The following named members voted for Mr McDaniel Mess. Askew, Bailey, Greening, Jamison, Richardson, Dyson, Waller of Columbia Waller of Washington and Mr Speaker

The following named members voted for Mr Milburn Mess Brown of White, and Cooley,

The following named members voted for Mr Wilburn Mess Black of Boone, Burns, Cheek, Dunlap, Hipkins, Gillam, Keith, Lee of Newton, Moore, Murphy, Washburn, and Williams

The following named members voted for Mr McKinson Mess Archer, Davidson of Clark, Davidson of Izard, Martin, Minor, Morris of Stone, Reddick, Stubbs, Tate, Thomas, and Warren

The following named members voted for Mr Thomas D. Evans Mess Barnett, Black of Randolph Blackwood, Bobo, Brewer, Brinkley, Britt, Brown of Lee, Burns, Dinsmore, Feltner, Fox, Gusk, Hanley, Hare, Hohman, Hollifield Jordan, Jolly, Kemp, King, Mack, McConnell, Payne, Pindall, Quarles, Sinnott, Stanley, and Taylor

The following named members voted for Mr Pirtle Mess Barker, Conway, Hobson, Hoyle, Lee of Howard, Lowenfield, Love, and Simmons

Recapitulation of the vote just had

Mr Jennings received	5 votes
Mr Nations received	5. votes
Mr James received	3. votes
Mr Simmons received	4. votes
Mr McDaniel received	9. votes
Mr Wilburn received	1½. votes
Mr Milner received	2. votes
Mr McKeown received	11. votes
Mr Craus received	28. votes
Mr Pirtle received	8 votes
Whole number of votes cast	87 votes
Necessary to a choice	44

No one having received a majority of the vote cast, there being no election, the name of Mr Simmons was withdrawn and the vote again called

The following named members voted for Mr Craus Miss. Barnett, Barlow, Black of Randolph, Blackwood, Bobo, Brewer, Brinkley, Britt, Brown of Lee, Brown of White, Burke, Curtis, Cooley, Cumming, Henry, Harrison, Felton, Forbush, Gillam, Hanly, Hare, Holder, Holman, Holifield, Hudson Jasper, Jordan, Joyner, Kemp, King, Love, Mack, McConnell, McMurtry, Miller of Clark, Payne, Pinson, Rhodes, Robin, Simmons, Sumbet, Stanley, Saylor, Thomas, Turner, Weir, and Wright.

The following named members voted for Mr Wilburn Miss, Black of Boone, Burns, Chuck, Creekmore, Dickens, Keith, Lee of Newton, Moore, Murphy, Priddy, Rasberry, and Williams

The following named members voted for Mr McKeown Miss Archer, Davidson of Sharp, Davidson of Izard, Martin, Minor, Morris of Hot, Stubbs, Tate, and Warren.

The following named members voted for Mr McDaniel Miss. Askew, Brady, Dunlap, Greening, Richardson, Tyson, Mallory of Columbia, Parker of Washington and Mr Speaker

The following named members voted for Mr. Pittle, Mess Conray, Hobson, Lee of Kerrard and Lowndermilk,

The following named members voted for Mr Nations Mess. McCracken and Miller of Conray.

The following named members voted for Mr Jennings Mess Fishback, Fraser, and Riddell

The following named members voted for Mr James. Mess - Harrison and Maynard.

Recapitulation of the votes just had

Mr Evans received	46. votes
Mr Wilburn received	12. votes
Mr McPherson received	9. votes
Mr McDaniel received	9. votes
Mr Pittle received	4. votes
Mr Nations received	2. votes
Mr Jennings received	3. votes
Mr James received	2. votes
Whole number cast	87
Necessary to a choice	44

Mr Evans having received a majority of the whole vote cast was declared elected Door Keeper of the House of Representatives and thereupon came forward and took and subscribed the oath of office administered by Chief Justice English and entered upon the discharge of his duties

Mr Stanley moved that the House dispense with the office of assistant Door Keeper. Which Motion was put and carried.

Mr Stubbs moved that the Sergeant at Arms also act as Postmaster of the House in connection with the Door Keeper without additional Compensation

Mr Pirtle offers as an amendment that a Committee be appointed to report what other officers are necessary for this House

Mr Dishbarck rose to a point of order that the amendment offered by Mr Reed was not in order, which point was sustained

Mr Minor offered the following Resolution
"I move that the House do now proceed to the election of the following officers and Employés in the following order —

1. One Sergeant at Arms of the House who shall perform the duties of Postmaster of this House
2d One Enrolling and Engrossing Clerk
3d and three pages and one Janitor and one assistant Clerk, and that for the present no other officers or employés be elected or appointed by this House."

Which was ruled out of order

The question then recurring on the motion of Mr Stubbs, the same was put and adopted

Mr Braly introduced the following
"Resolved. That the House proceed to perfect its organization in the following order of business. The election
1st of One Assistant Clerk
2d of One Sergeant at Arms
3d of One Chaplain
4th of one Enrolling Clerk
5th of one Journal Clerk
6th of one Janitor

Braly"

Mr Thomas moved to amend by striking out all the officers mentioned except Sergeant at Arms.

Which being put to a vote was carried

The question then recurring on the resolution as amended, the same was put and the resolution adopted.

The House then proceeded to the election of Sergeant at Arms

Mr Bobo placed in nomination the name of Mr Baxter of Monroe

Mr Archer placed in nomination the name of Mr. Gilpin.

Mr Miller of Clark placed in nomination the name of Mr Thompson

Mr Walker of Columbia placed in nomination the name of Mr Kelly

Mr Mack placed in nomination the name of Mr Eselman

Mr Robson placed in nomination the name of Mr Conde

The roll was called and the following named members voted Mr Baxter Miss Blackwood, Bobo, Brown of Lee, Brown of White, Burke, Coody, Davidson of Sharp, Dawson, Fishback, Hanly, Hare, Harrison, Hudson, Jamison, Joyner, Kemp, Lee of Howard, McMurtry, Minor, Morris of Stone, Pindall, Quarles, Richardson, Stanley, Stubbs, and Thomas

The following named members voted for Mr Shippen Miss Archer, Black of Boone, Bynum, Burns, Davidson of Izard, Shippen, Fraser, Lee of Newton, McConnell, McCracken, Yates, and Sayler

The following named members voted for Mr Thompson Miss Barnett, Graham, Hedges, King, Martin, Mills of Clark, Mills of Conway, Murphy, Payne, Rodgers, Sennett, and Tyler

The following named members voted for Mr Kelly Miss Askew, Barker, Brady, Church, Cruse, Cummingham, Dewby, Felton, Forbush, Jordan, Keith, Lindsmith, Love, Moore, Brady, Simmons, Bivens, Walker of Columbia, Walker of Washington, Washburn, Weir, Williams and Wright.

The following named members voted for Mr Eselman Mess. Black of Randolph, Hartfield, Mack, Riddick and Warner

The following named members voted for Mr Condon Mess. Britt, Curtis, Conroy, Greening Hobson, Holman, and Mr Speaker.

Recapitulation of the vote just had

Mr Baxter received	26 votes
Mr Shippin received	12 votes
Mr Thompson received	12 votes
Mr Kelly received	26 votes
Mr Esselman received	5.
Mr Condon received	2
	85
Necessary to a choice	43

No one having received a majority of the votes cast another Ballot was ordered. Whereupon the following members voted for Mr Baxter Mess. Buckwood, Bobo, Brewer, Brown of Lee, Brown of White, Burke, Curtis, Davidson of Sharp, Dawson, Dishaeb, Dorbush, Hanley, Hare, Harrison, Hatchfield, Hudson, Jamison, Joynes, Kemp, Lee of Howard, McMurtry, Minor, Morris of Stone, Payne, Pindall, Quarles, Stanley, Stubbs and Thomas

The following named members voted for Mr Kelly Mess. Allen, Baker, Brady, Burch, Coady, Crisfield, Cummings, Dennis, Dilton, Fraser, Greening, Jordan, Kent, Laudenmich, Love, Moore, Purdy, Simmons, Sumwalt of Columbia, Walker of Washington, Washburn, Weir, Williams, Wright and Mr Speaker

The following named members voted for Mr Shippin Mess. Archer, Black of Brown, Burns, Davidson of Dare, Shipping, Lee of Worcester, McComas, McCracken, Tate & Taylor

The following named members voted for Mr. Thompson Mess. Barnett, Gillespie, Hansen, Ohrig, Martin, Maynard, Miller of Charles, Miller of Somerset, Murphy, Rodney, Scott and Dyson

The following named members voted for Mr Condon Mess. Britt, Conroy, Hobson, Holman and Richardson

The following named members voted for Mr. Goodman Mess Brock of Randolph, Mack, Riddick and Warren

Recapitulation of the vote just had

Mr Baxter received	29. votes
Mr Kelly received	26. votes
Mr Dupkin received	10. votes
Mr Thompson received	12. votes
Mr Carden received	5. votes
Mr Goodman received	4 votes
Total vote cast	86
Necessary to a choice	44 votes

No one having received a majority a third ballot was ordered

The Clerk proceeded to call the Roll of

The following named members voted for Mr Baxter Messrs. Blackwood, Bobo, Brimley Lee, Brown of White, Burke, Carter, Davidson of Sharp, Harrison, Dishoack, Holbrook, Greenlee, Haney, Hare, Harrison, Holifield, Hudson, Jamison, Joyner, Kemp, Lewis of Howard, McMurray, Minor, Morris of Stone, Payne, Randall, Reidy, Rhodes, Richardson, Stanley, Stubbs, Thomas and Wright

The following named members voted for Mr Kelly. Messrs. Adkins, Barker, Brady, Chesnutt, Colemore, Cunningham, Denby, Felton, Fraser, Gilliam, Jordan, Keith, Londonmills, Love, Moore, Murphy, Simmons, Turner, Weeks of Columbus, Weeks of Washington, Washburn, Weir, Williams and Mr Speaker.

The following named members voted for Mr Dupkin Mess Archer, Black of Boone, Burns, Davidson of Lyard, Dupkin, Lee of Nixton, McConnell, Nye, Oakley, Pate, and Taylor

The following named members voted for Mr Thompson Mess Barnett, Brewer, Holden, King, Martin, Maynard, Myers of Clark, Myers of Surry, Rogers, Sinnott and Tyson

The following named members rose for Mr Condon Mess Britt, Conroy, Hobson, and Holman

The following named members rose for Mr Esselyeau Mess Brock of Randolph, Mack, Reid Scott, and Marvel

Recapitulation of the vote just had

Mr Baxter received	52 votes
Mr O'Kelly received	24 votes
Mr Hopkins received	10 votes
Mr Thompson received	11. votes
Mr Condon received	4 votes
Mr Holman received	4 votes
Total vote Cast	85 votes
Necessary to a choice	43.

No one having received a mayority of the vote Cast this there being no election a fourth ballot was ordered: pending which Mr Brady moved that the House take a recess until 4 O'clock P.M.

Which motion was lost

The House then proceeded with the fourth ballot pending which Mr Conroy withdrew the name of Mr Condon.

Whereupon the Clerk proceeded to Call the roll and the following named members voted for Mr Baxter Mess. Blackmon, Bode, Brewer, Brinkley, Britt, Brown of Lee, Brown of White, Burke, Carter, Conroy, Davidson of Sharp, Dawson, Dishack, Forbush, Greening, Hanley, Hare, Harrison, Hobson, Holder, Hollifield, Hudson, Jamison, Joyner, Kemp, Lee of Howard, Martin, McMurtry, Minor, Morris of Stone, Napier, Pinnell, Priddy, Rhodes, Richardson, Stanley, Stubbs, Tate, Thomas, Wright,

The following named members voted for Mr Kelly. Mess. Akers, Baskin, Brady, Church, Cruikshank, Cunningham, Denby, Felton, Gillam, Jordan, Keith, Londerminio, Love, Moore, Murphy, Simmons, Turner, Walker of Columbus, Walker of Washington, Washburn, Weir, Williams and Mr Speaker

The following members voted for Mr Thompson Mess. Barnett, Bolden, Berry, Maynard, Miller of Clark, Rodin, Simmotts, and Dyson

The following named members voted for Mr Shipkin Messrs Archer, Black of Boone, Burris, Davidson of Ward, Shipkin, Fraser, Lee of Newton, McConnell, McCracken, Miller of Conway, and Taylor

The following named members voted for Mr Eselman Miss. Black of Randolph Mack, Riddick, and Warner

Recapitulation of the vote just had

Mr Baxter received	40 votes
Mr Kelly received	23 votes
Mr Thompson received	8 votes
Mr Shipkin received	11 votes
Mr Eselman received	4 votes
Total votes cast	86
Necessary to a choice	44

No one having received a majority of the votes cast a fifth ballot was ordered

Pending which Mr Miller of Clark withdrew the name of Mr Thompson,

The Clerk then proceeded to call when the following members voted for Mr Baxter Messrs. Barnett, Black of Randolph, Blackwood, Bobo, Brewer, Brinkley, Britt, Brown of Lee, Brown of White, Brooks Curtis, Conway, Davidson of Hempstead, Dawson, Dishaeth, Forbush, Greening, Hanley, Hardy, Harrison, Hoban, Holmes, Holt, Hicks, Hudson, Jamison, Joyner, Kemp, Lee of Howard, Mack, Martin, Maynard, McMurtry, Miller, Morris of Stone, Payne, Pindall, Priddy, Rhodes, Riddick, Richardson, Simmatt, Stanley, Stubbs, Tate, Thomas, Dyson, Warner Wright and Mr Speaker.

The following named members voted for Mr Kelly Messrs Aylett, Barnes, Brady, Clark Creekmore, Cunningham, Feltus, Fraser

Gilliam, Hardin, Jordan, Keith, Londermilk, Love, Miller of Clay, Moore, Murphy, Roberson, Simmons, Taylor, Turner, Walker of Columbia, Walker of Washington, Washburn, Weir, and Williams

The following named members rose for explanation Messrs Hipps, Mesa, Archer, Black of Bowie, Burns, Davidson of Lee, Denby, Flippin, King, Lee of Newton, McConnell, McCracken, and Miller of Conway

Recapitulation of the vote just had.

Mr Baxter received	49 votes
Mr Kelly received	26 votes
Mr Flippin received	11 votes
Total vote cast	86 votes
Necessary to a Choice	44

Before the announcement of the vote by the Speaker Mr Mack withdrew the name of Mr Eskridge and cast his vote for Baxter

Mr J. N. Baxter having received a majority of all the votes cast was declared elected Sergeant at Arms of the House of Representatives for the present Session and thereupon Mr Baxter took and subscribed the oath of office administered by Chief Justice English and entered upon the discharge of his duties.

Mr Walker of Columbia moved to take a recess; withdrawn

Mr Thomas now moved that the House be now declared organized and that the Speaker appoint a Committee of three to notify the Senate of the same

The Speaker thereupon appointed the following members as such Committee Messrs Thomas, Walker of Washington, Dale, Stanley and Walker of Columbia

Mr Durrett moved that a Committee of three be appointed to notify the Governor of the organization of the House

Which motion was not agreed to.

Mr Mallard of Columbia moves that the House take a recess until 5 Oclock P. M.

Which was carried.

After Recess
at 5 Oclock P.M.

The Speaker calls the House to order and directs the Clerk to call the roll.

Whereupon the following members answered to their names,

Miss Aiken, Barnett, Barton, Black of Boone, Black of Randolph, Blackwood, Bobo, Bratton, Brewer, Brickley, Brotte, Brown of Lee, Brown of White, Burke, Burns, Carter, Cheek, Conway, Crew, Cunningham, Harrison of Sharp, Harrison of Laurens, Dawson, Delleney, Felton, Fishback, Fraser, Forbush, Gilland, Greening, Hanley, Hare, Harrison, Hodges, Holman, Hudson, Jamison, Jordan, Joyner, Keith, Kemp, Lee of Horry, Lee of Marion, Longshore, Lark, Mack, Martin, McConnell, McCracken, McMurray, Miller of Clarke, Miller of Conway, Minor, Moore, Morris of Stone, Murphy, Pindale, Priddy, Quarles, Riddick, Rodgers, Simmons, Simmons, Stanley, Stubbs, Tate, Taylor, Thomas, Trowell, Tyson, Vaught of Columbia, Vaught of Washington, Warner, Washburn, Weir, Williams, Wright, Mr Speaker

A quorum Present

Mr Davidson of Sharpe introduced the following resolution
"Resolved that in addition to the Chief Clerk already chosen by this House, there shall be one Assistant Clerk, whose duty it shall be to keep a correct minute of each days proceedings; There shall also be elected one Engrossing Clerk and one Enrolling Clerk, who shall in addition to the duties appertaining to their respective departments did in transcribing the proceedings of the House in the record to be provided for, shall perform such other employment

or appointment of Clerks shall be permitted or authorized and all the duties devolved in the Clerical Department shall be performed by the Chief Clerk, Assistant Clerk, Engrossing Clerk and Enrolling Clerk, until the further order of this House."

Mr Minor moved to amend by consolidating the Enrolling and Engrossing Clerkships

Mr Fishback offered the following amendment to the amendment offered by Mr Minor "Provided that the Clerk shall have it in his discretion to appoint a Journal Clerk when it is necessary

Whereupon Mr Pindall offered the following as a substitute for the original resolution and the amendments

"Resolved that a Committee to consist of ____ be appointed to consider what officers are necessary to the prompt and correct transaction of the business of the House and whether any of the offices usually in Legislative bodies can be dispensed with without injury or detriment to the transaction of the business and they be requested to report to ~~the~~ this morning

Mr Fishback accepted the substitute

The question then recurring as to the substitute offered by Mr Pindall to the original resolution and amendment

The same was put to the House and lost.

The question then being on the adoption of the original resolution as amended by Mr. Minor

The same was put to the House and adopted.

The Speaker then announced that the next thing in order was the election of Assistant Clerks.

Whereupon Mr Stubbs placed in nomination Mr J.D. Williams of Hot Springs Co.

Mr McConnell placed in nomination the name of R.N. Scott of Union

There being no other nominations
The Clerk proceeded to call the roll
and the following members voted for Mr
R. A. Scott Mess. Allen, Barnett, Barker,
Black of Boone, Black of Randolph, Black,
Wood, Brewer, Brinkley, Britt, Brumley, Lee,
Burke, Burns, Cheek, Conway, Creekmore,
Cunningham, Davidson of Sharp, Dawson,
Denney, Dishpin, Frazier, Gibbons, Gilliam,
Greening, Hundley, Hare, Jamison, Joyner,
King, Lee of Howard, Lee of Newton, Linder,
Webb, Love, McConnell, McCracken,
Minor, Murphy, Payne, Pindall, Priddy,
Queen, Riddick, Richardson, Simmons,
Simmons, Stanley, Tate, Taylor, Turner,
Tyson, Wallace of Columbia, Warner, Wash,
burn, Weir, Wright and Mr Speaker. 56.

The following named members voted for Mr
Williams, Messr Welch, Bobo, Brady, Brown
of White, Curtis, Davidson of Dare, Felton,
Fishback, Harrison, Holden, Holmfield,
Hudson, Jordan, Keith, Kenyon, Mack, Martin,
Maness, McMurtry, Miller of Clark,
Miller of Conway, Moore, Morris of Stone,
Roden, Stubbs, Thomas, Waller of Washing-
ton, Williams 28.

Total vote Cast 84
Necessary to a choice 43

Mr. R. A. Scott having received 56 votes
was duly declared Elected Assistant
Clerk of the House of Representatives
for the present Session

A message from the Senate. announcing their organization

Mr Speaker:

We are a committee
of the Senate have been appointed to notify the House that
the Senate is now organized and ready for business
and that the officers are as follows:

President W M Duffie
Secretary Lon F. Kretschmar
Asst Secty W A. Fatherly
Sergt at arms Perry Roberts.

J E Gatewood
A D Kerr
A A Pennington

Mr Thomas Chairman of the Select Committee appointed by the Speaker to inform the Senate of the organization of the House, reported that they had performed that duty, and asked to be discharged.

On motion of Mr McConnell Judge Rogers was invited to a seat upon the floor of the House

Mr Quarles of Phillips moved that a Committee of three members from the House be appointed to notify the Governor, that the Hse was organized and ready to receive any Communication he might see proper to make

The Speaker appointed as such Committee Messrs Quarles, Brown, and Davidson of Shark.

The Speaker having announced that the next order of business would be the election of Enrolling and Engrossing Clerk.

Mr McConnell placed in nomination the name of Miss Sallie A Reid.

Mr Fisher placed in nomination the name of Miss Bettinger

Mr Weir placed in nomination the name of Miss Fannie Gaulding

Mr Rodes placed in nomination the name of Mr French.

Mr Dickson placed in nomination the name of Mrs Mattie L. Britt

Mr Riddell placed in nomination the name of Mr Blakemy

Mr King appeared and answered to his name.

There being no other nominations the Clerk was directed to call the roll when the following members voted for Miss Reid Messrs. Brady, Brown

Brown of Lee, Curtis, Deweby, Felton, Fraser, Harrison, Kemp, Lee of Harnett, Maynard, McDermill, Morris of Stone, Pinsdale, Pridy, Richardson, Taylor

Miss Bettinger received the vote of the following members Messr. Arthur, Bobo, Brinkley, Brown of White, Burke, Cheek, Cunningham, Dawson, Fishback, Gilliam Hanby, Hudson, Love, McMurtry, Miller of Conway, Minor, Murphy, Payne, Quarles, Simmons, Simmons, Turner, Walker of Washington, O

The following named members voted for Miss Goulding Messrs Archey, Barnett, Barton, Greening, Holden, Holman, Jamison, Lowdermilk, Miller of Clark, Moore, Walker of Columbia, Weir, Wright. and Mr Speed

The following named members voted for Mr French Messrs. Burns, Davidson of Gaston, Martin, Alex Roden,

The following named members voted for Mrs Britt Messrs. Black of Boone, Blackwood, Britt, Conway, Crutchmore, Dilling, Jordan Keith, Lee of Martin, Stanley, Tyson, Washburn, and Williams

The following named members voted for Mr Blakeney Messrs Black of Randolph, Davidson of Harnett, Hare, Hatfield, Joyner, King, Mack, McCracken, Riddick, Stubbs, Tate, Thomas, and Warren

Recapitulation of the vote just had

Mrs Laura A Reid received	17 votes
Mrs Bettinger received	28 votes
Miss Goulding received	14 votes
Mrs Britt received	16 votes
Mr French received	4 votes
Mr Blakeney received	16 votes
Total votes cast	84
Necessary to a choice	43

No one having received a majority
a second ballot was ordered.
The Clerk proceeded to call the
roll and the following members
voted for
Mrs Reid Mess Blackwood, Braly, Brewer,
Brown of Lee, Carter, Kenney, Dreas of Kent
Ewing, Maynard, McConnell, Morris of Stone,
Pinsdell, Priddy, Saylor,

The following named members voted
for Miss Bettinger Mess Coker, Dodd,
Brinkley, Brown of White, Brook, Bruce,
Clark, Cunningham, Garrison, Gilbert,
Fishback, Forbush, Gillam, Hanley,
Hudson, Love, McMurtry, Minnis of
Conway, Myers, Murphy, Payne,
Rucker, Simmons, Sinnott, Stone,
Waller of Washington, and Washburn

The following named members voted for
Mrs Goulding Mess Archer, Barnett,
Barker, Davidson of Ark, Greening, Hall
Holland, Jamison, Lee of Howard, Loudis,
Mark, Miller of Clark, Moore, Richardson,
Ward of Columbia, Weir, Wright and
Mr Speaker.

The following named members voted for
Mrs Britt Mess Black of Boone, Britt, Conway,
Creekmore, Klippin, Harrison, Jordan,
Keith, Lee of Hunter, Stanley, Tipton
and Williams

The following named members voted for
Mr Blakney Mess Black of Randolph,
Clardy of Clark, Hare, Hollifield,
Joyner, Mack, McCracken, Reddick,
Stubbs, Tate, Thomas, Turner

The following named members voted
for Mr Branch Mess Martin, and Rodgers

Recapitulation of the vote on the 2nd
ballot taken for Enrolling and En-
grossing Clerk

Mrs Reid Received	45 votes
Miss Bettinger Received	27

Miss Gardning received 17 votes
Mrs Bostt received 12 votes
Mr Blakeney received 12 votes
Mr Branch received 2 votes
Total votes Cast 85
Necessary to a choice 43.

No one having received a majority of all the votes Cast and pending said vote

On Motion of Mr Barnett at 6.14 P.M. the House adjourned until to morrow morning at 9 A.M.

J. S. Bearden
Speaker

John G. Holland
Clerk

House of Representatives

Little Rock Arkansas
Tuesday January 14th 1879

The House met pursuant to adjournment at 9. A.M.

The Clerk called the roll and the following members answered to their names: Mess. Archer, Baker, Barnett, Bartlett, Black of Boone, Blackwood, Bobo, Braly, Brinkley, Brown of Lee, Brown of White, Bruno, Curtis, Cheek, Crenshaw, Davidson of Izard, Hardeman of Izard, Henry, Felton, Fishback, Fraser, Greening, Hare, Harrison, Holden, Holman, Jordan, Keith, Kench, King, Lewis of Howard, Lewis of Newton, Londermilk, Love, Martin, McCormick, McCrackin, Mellon of Clark, Milam of Conway, Minor, Moore, Morris of Izard, Murphy, Payne, Pindall, Pyle, Randle, Richardson, Robins, Simmons, Sinnock, Stroud, Tindell, Tate, Taylor, Thomas, Turner, Tyson, Walker of Washington, Washburn, Williams, Mr Speaker. -60. and a quorum present.

Those who failed to answer to their names at the call of the roll were Mess. Black of Randolph, Brewer, Conal, Dennis, Conway, Crosby, Cunningham, Dickson, Flake, Forbush, Gillen, Hanley, Hobson, Holcomb, Hudson, Jameson, Jones, Mack, Maxwell, Mc Murtry, Quarles, Reddick, Stanley, Walker of Columbia, Warren, Weir, and Wright.

The Clerk read the journal of yesterday. And there being no objection the same was approved and signed by the Speaker and Clerk of the House

Mess Walker of Columbia Flippin, Cunningham, Mc Murtry, Bourke Wright, Jameson, Forbush, Reddick, Mack, Stanley, Jones, Warren, Conway, Crosby, Stanley, Hunt, Reddick, Gillen, Brewer, Weir, Maxwell, Dickson, Mc Black of Randolph asked unanimous consent of the House and assented to their request.

Mr Conway moved that the rules of the last House of Representatives be adopted as the rules of the House

Mr Hanley moved to amend rule No 53 so as to provide that the Committee on the Judiciary be increased to as many members as there are Judicial Circuits in this State

Mr Braly moved that a Committee on Rules consisting of five members be appointed, to report at as early a day as practicable

Which was adopted

The Speaker appointed as such Committee Messrs Braly, Hanley, Pindall, Taylor and Mason,

Messrs Bramlett and Owens appeared at the bar of the House and were sworn by Chief Justice English who administered unto them the oath according to the oath of office as provided by law.

Mr Roger N. Smith who was previously elected Assistant Clerk came forward and qualified by taking and subscribing to the oath of office prescribed by the Constitution. Hon E. H. English Chief Justice of the State Supreme Court administering the oath and thereupon Mr Smith entered upon the discharge of his duties

The Speaker announced that the next order of business being the Election of an Engrossing and Enrolling Clerk of the House

and thereupon

Mr Weis withdrew the name of Miss Jamie Goulding,

Mr McConnell withdrew the name of Miss Reid

The Clerk then proceeded to call the roll when the following members voted for Miss Bettinger, Messrs Acker, Barnett, Burkett, Babb, Braly, Brown of Lee, Brown of Mercer, Burns, Curtis, Cheek, Cummingham, Damron, Fishback, Forbush, Gilliam, Greening, Hanly, Harrison, Holden, Hudson, Jamison, King, Lee, Howard, Lindermilk, Lowe, Maynard, McConnell, McMurtry, Miller of Clark, Miller of Gibson, Minor, Morris of Stone, Murphy, Payne, Pindall, Pridy, Quarles, Richardson, Simmons, Smoot, Taylor, Owens, Mason of Columbia, Watts of Washington, Weis,

Wright and Mr Speaks.

The following named members voted for Mrs Britt Miss Black of Boone, Blackwood, Britt, Conway, Greenwood, Heller, Shippin, Norman, Jordan, Keith, Lee of Martin, Moore, Stanley, Tyson, and Williams

The following named members voted for Mr Blakeney, Miss Black of Randolph, Dunnagan, Davidson of Stanly, Davidson of Yadkin, Hayes, Holliday, Joyner, Kerr, Mack, McCracken, Medford, Hughes, Pate, Phillips, and Warren

The following named members voted for Mr Green, Miss Atkins, Hunter, Martin, Owen, and Rodman,

Recapitulation of the vote just taken

Mrs Bellinger received 47 votes
Mrs Britt received 15 votes
Mr Blakeney received 15 votes
Mr Green received 6 votes
Whole number votes cast 83
Necessary to a choice 42 votes

Mrs Bellinger having received a majority of all the votes cast was declared elected Enrolling and Engrossing Clerk of the Senate of the present session for the present term

Mr Thomas offered the following Resolution.

"Resolved that the Secretary of State be requested to furnish each member with Bunts Digest and Acts of the Legislature since the publication of Battles Digest for their use during the session, also the Constitution of 1876

Mr Forbush moved to amend the resolution by omitting Battles Digest

Mr Kenadon moved to amend further the resolution by inserting Revised Digest

Which motion was lost

The question recurring upon the adoption

of Mr Thomas' Resolution
Thereupon was adopted.

Mr Gates introduced the following Resolution.
"Resolved, that the House now proceed to the election of One Journal Clerk, whose pay shall be six dollars per day.

Mr Stubbs moved to amend by substituting Eight Dollars in place of Six Dollars per day
Which amendment was agreed to.

Mr Mallery of Washington moved as a substitute, that the Clerk be authorized to appoint a Journal Clerk,

Mr Minor moved that the Resolutions & amendment be laid on the Table.
Which motion was adopted.

On motion of Mr McConnell the Sergeant at Arms was authorized to appoint three pages for the House, to serve during the present session

Mr Hurley moved to amend Mr McConnells motion by inserting 4 instead of three pages.
Which motion as amended was agreed to

Mr Damon introduced the following Resolution"
"Resolved that officers and Ex officers, members and Ex members of Congress, and Ex members of the General Assembly and the Constitutional Convention of 1874 be entitled to seats within the bar of the House
Which was rejected.

Mr. Mallon of Columbia moved that the House now proceed with the election of a Chaplain

Upon which Mr Hudson placed in nomination the name of the Rev Mr McCann

Mr Gentle placed in nomination the name of Mr Early

Mr Surrey placed in nomination the name of Mr Pound,

Mr Barrett placed in nomination the name of Rev. Mr Dyer

Mr Treadgold placed in nomination the name of Rev Mr D. D. Kay.

Mr Hurley placed in nomination the name of Rev Mr Coleman.

Mr Hatman placed in nomination the name of Rev. Mr Lee.

Mr Harrison placed in nomination the name of Mr Jones

There being no other nomination
The Clerk proceeded to Call the roll of the House and the following members rote for Mr McCann.
Messrs. Hudson, McGinnity, Pindall,

The following members rote for Mr Early Messrs Archer, Barker, Black of Bond, Burke, Burns Causey, Shipkin, Harrison, Kemp, Lewis, Mann ard, Miller of Conway, Morris of Stone, Roden,

The following named members rote for Mr Sound Messrs Black, and Turner,

The following named members rote for Mr Lee Messrs. Archer, Barnett, Black of Randolph, Bobo, Brewer, Britt, Brown of Ley, Brown of White Carraday of Sharp, Clapidon of Izard, Clare, Hatfield, Jamison, Joyner, Black, Martin, Minor, Moore, Murphy, Riddick, Sinnett, Stanley, Stubbs, Tate, Taylor and Warren

The following named members rote for Mr Key Messrs Deitrick, Dickinson, McCann, McCracken Priddy, Rankin of Washington and Rutherford,

The following named members rote for Mr Colburn Messrs Brumpass, Greening, Hadley, Jamison, Green, Lewis, Richardson, Thomas and Rankin of Columbia.

The following named members rote for Mr Jennifer Messrs Cummingham, Dunnan, Forbush, Gallion, Payne

The following named members rote for Mr Lee

Mess Blackwood, Braley, Brinkley, Carlin, Conway, Creekmore, Fraser, Holden, Holman, Kendrick of Harnett, Lee of Nelson, Londermilk, Love, Mills of Clinton, Simmons, Tyson, Weir, Williams Wright and Mr Speaker

Recapitulation of the vote for Chaplain
First Ballot

Mr. McLaurin Received	3. votes
Mr Early received	14. votes
Mr Pounds Received	2. votes
Mr Dye Received	26. votes
Mr Ray received	7. Votes
Mr Colburn received	4. Votes
Mr Dennis received	5. Votes
Mr Lee received	21 votes
Total votes cast	87
Necessary to a Choice	44

No one of the Candidates having received a Majority of all the votes cast &c therefore no election
The Clerk proceeded to call the roll and a second ballot was taken
Before the
ceeding with the ballot
Mr Turner withdrew
the name of Mr Pounds
Mr Hudson withdrew
the name of Mr McLaurin
and the following
Members voted for Mr Dye Mess. Archer
Barnett, Blackwood, Bridges, Burke, Brewer,
Brown of Lee, Burrison of Sharp, Davidson of Yad
Fraser, Hare, Hollifield, Jimison, Mabry,
Martin, Minor, Moore, Pinnell, Richardson,
Simmons, Stanley, Stubbs, Tate, Taylor & Warren

The following named Members voted for Mr
Early Mess Barbee, Black of Boone, Bourne,
Burns, Dewey, Gilliam, Harrison, Joyner,
Kemp, King, Maynard, Mills of Conway,
Morris of Avery, Rodman, Turner

The following named members voted for Mr
Colburn Mess Britt, Campbell, Greening, Hanby,
Jordan, Maples, Richardson, and Thomas

The following named members voted for Mr
Lee Mess [illegible], Blackwood, Braley, Brinkley

Curlew, Conran, Greenmore, Holden, Holmes, Scott, Rev of Horrax, Rev of Norton, Londerville, Dove, Miller of Ohio, Murphy, Orem, Summers, Dunn, Frazier of Columbia, Mew, Williams, Wright and Mr Speaker.

The following named members voted for Mr Mew Brown of White, Cinch, Cunningham, Felton, Fishback, McComas, McCormick, Mew, Reddy, Rankin of Washington, Rutherford

The following named members voted for Mr Curlew Miss Carlson, Forbush, Gillam, Hudson, McMurtry, Dunne

Recapitulation of the 2d ballot just had

Mr Dye received	24. votes
Mr Early received	16. votes
Mr Colburn received	8. votes
Mr Lee received	26 votes
Mr Key received	10. votes
Mr Grimsley received	6. votes
Total vote cast	89
Necessary to a choice	44.

There being no choice a third ballot was ordered.

Before the Clerk proceeded to call the roll Mr Hunter withdrew the name of Mr Colburn

Pending the Election for Chaplain Miss Lillie J. Jennings appeared within the door of the House and addressed the Chair of the House as prescribed by the Constitution, Chief Justice Eichelberger administering the oath

after which

the Clerk proceeded to call the roll on the Election of Chaplain

The following are the members voting for Mr Dye, Miss Archer, Barnett, Black of Caroline, Cobb, Forrer, Brown of Lee, Brown of White, Carrington of Sharp, Carrington of Izard, Brewer, Greenway, Hare, Holifield, Jamison, Black, Martin, Miller, Minor, Pinkard, Rainwater, Richardson, Simmons, Straley, Stubbs, Tate, Taylor, Thomas and Warner.

The following named members voted for Mr

Lod. Mess, Blackwood, Braley, Brumley, Brill, Curtis, Conway, Creekmore, Hanley, Hatcher, Holman, Keith, Lee of Harris, Lee of Norton, Lowdermilk, Miller of Clark, Morris of Stone, Creed, Simmons, Tipton, Weir, Williams, Wright and Mr Speaker.

The following named members voted for Mr Early Messr. Archer, Black of Boone, Crumpacker, Burns, Denby, Hippen, Harrison, Jordan, Joyner, Kemp, King, Mainar, Miller of Conway, Rodgers, Turner, Walker of Columbia, Reed Washburn

The following members voted for Mr Key Messr Cluck, Fellner, Fishback, McConnell, McCracken, Priddy and Walker of Washington

The following named members voted for Mr Gentry Messr Barker, Brooks, Cummings, Denton, Forbush, Gillam, Hudson, Kane, Pace, Murtry, Murphy, Reynolds Guards.

Recapitulation of the vote for Chairman
Third Ballot

Mr Dye received	27 votes
Mr Lee received	26 votes
Mr Early received	17 votes
Mr Key received	7 votes
Mr Gentry received	12 votes
Total votes cast	86 votes
Necessary to a choice	44

No one having received a majority the Clerk was ordered to proceed with the call of the roll when Mr Priddy changed the name of Mr Key

The roll was then called the following members voted for Mr Dye Messr Archer, Barnes, Black of Randolph, Bobo, Brewer, Brownlee, Brown of White, Burdon of Sharp, Davidson of Izard, Dixon, Greening, Hare, Holifield, Mack, Martin, Minor, Moore, Sandell, Priddy, Riddick, Richardson, Simmons, Stanley, Tinder Tate, Taylor and Turner

The following named members voted for Mr Lee Messr Blackwood, Braley, Brumley, Brill, Curtis, Conway, Creekmore, Fellner, Fishback, Hanley, Hatcher, Holman, Keith, Lee of Harris, Lee of Norton, Lowdermilk, Love, Miller of Clark

Orrew, Simmons, Green, Mann of Washington, Weir, Williams Wright and Mr Speaker.

The following are the names of the members who voted for Mr Carr in Mess. Arlen, Burke, Black of Bronx Bingham, Brown, Birch, Dillon, Harrison, Jordan, Journey, Kenck (Kay, Kuniard, McConnell, Mc Crecken, Whitney Murray Morrow, Rader, Ferrer and Mann of Columbia.

The following named members voted for Mr Journey. Mess. Burke, Cunningham, Hanson, Kenby, Dorbush, Julian, Kaudom, Jamison, McMurthy, Murphy, Payne, Charles, Washburn and Wright.

Recapitulating the vote previous to Fourth Ballot

Mr Dye received	57. votes
Mr Lee received	25. votes
Mr Carr received	20. votes
Mr Journey received	4 votes
Total vote Cast	86.
Necessary to a Choice	44.

No one having received a majority of all the Votes Cast they therefore no Election.

Mr Charles on Chairman of the Committee to notify the Governor of the organization of the House reported that they have discharged that duty & that the Governor would deliver his Message at 11 Oclock A.M. this day

The Clerk proceeded with the Call of the roll finding the Election of a Chaplain and a fifth ballot was taken

The name of the members voting for Mr Dye. Mess. Archer, Barnett, Black, Bobo, Brewer Brown of Lee, Brown of White, Carrodon of Shasta Davidson of Grand Traver, Greening, Hart, Holmes, Hood, Hyatt, Martin, Mercer, Moore, Randall, Priddy, Riddick, Smith Webber, Tate, Taylor, Thomas, Travis of Columbia and Warner

The name of the members voting for Mr Lewis. (Blackwood, Brady, Brumley, Burt, Carter, Conway, Crichmore, Delmar, Haidu, Holman, Hunt, Lee of Humboldt Lee of Martin, Limbaugh, Lowe, Miller of Clark, Owens, Simmons, Tyson

Names of Washington, Ware, Williams and Mr Speaker

The following named members voted for Mr Early. Arthur, Barker, Black of Wash., Campbell, Burke, Clark, Dearden, Gilliam, Harrison, Jordan, Jeffries, Keech, King, Maupin, McCamish, McCue, Crockett, Means of Conway, Morris of Stone, and Porter.

The following named members voted for Mr Jeffries Messrs. Bailey, Cunningham, Harrison, Fishback, Jackson, Gilliam, Hamlett, Hudson, Jamieson, McMurtry, Murphy, Mayne, Evans, Richardson, Simmons, Sirrine, Watkins and Wright.

Recapitulation of the vote first taken

Mr Dye received	29 votes
Mr Lee received	26 votes
Mr Early received	14 votes
Mr Jeffries received	18 votes
Total vote cast	87 votes
Necessary to a Choice	44

No one having received a majority of all the votes cast and therefore no election

On motion of Mr Wilson the name of Mr Dickinson the member from Chicot was corrected to J.M. Dickinson in place of J.N. as appears in the Certificate of the Secretary of State

Mr J.M. Dickinson appeared within the bar of the House and was sworn as a member of this House, by taking and subscribing to the oath of Office prescribed by the Constitution administered by Chief Justice E.H. English

On motion of Mr Stubbs and there being no objection, Geo Logan was invited to a seat within the bar of the House

The Speaker appointed the following pages in accordance with resolution from the House C.B. Simmons, J.T. Hunt, Ralph Mycough, and Linza Autry.

At 8 minutes past 12 Oclock M. Mr Fishback Moved that the House adjourn

until to morrow morning at half past nine
o'clock A.M.

The question was put and the
House adjourned

John G. Holland
Clerk

J. S. Reardon
Speaker

House of Representatives

Little Rock Arkansas
Wednesday January 16. 1879

The House met pursuant to adjournment at half past Nine Oclock

The Clerk called the roll and the following members answered to their names Mess Archer, Askew, Barnett, Barton, Black of Boone, Black of Randolph, Blackwood, Bobo, Braley, Brewer, Brindley, Britt, Brown of Lee, Brown of White, Brookfield, Burns, Carter, Cheek, Conway, Creekmore, Cunningham, Davidson of Sharp, Davidson of Izard, Dawson, Dewey, Dickinson, Dozier, Fish, Fleek, Flippin, Fraser, Forbush, Gibson, Greening, Hanley, Hare, Harrison, Holden, Holmes, Hollowell, Hudson, Jamison, Jordan, Joyner, Keith, Keach, King, Lee of Garland, Lee of Norton, Lenderman, Love, Mack, Martin, Maynard, McClennie, McCracken, McMurtry, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Crawford, Orem, Paine, Pindall, Priddy, Quarles, Riddick, Richardson, Roden, Sain, Simms, Simmons, Stanley, Stubbs, Pete, Taylor, Thomas, Turner, Tyson, Woodruff of Columbia, Wasson of Washington, Warren, Washburn, Weir, Williams, Wright and Mr Speaker 84.

And a quorum present.

On motion of Mr Flippin the name of Mr Burns was corrected to Israel instead of Wade (Burns as appears by the Returns of the Secretary of State

And on further motion the name of one of the pages was corrected from C. B. to H. C. Bumpers.

Mr Conway asked that Mr Hoban be excused on account of sickness. granted

The Journal of proceedings of yesterday was then Read by the Clerk and there being no objection thereto was approved and signed by the Speaker and Clerk of the House.

Mr Murphy entered within the bar of the House and answered to his name.

Mr Braley moved that a Committee be appointed Consisting of three members from the House to

notify the Senate, that the House will be ready at 11. Oclock A.M. to receive that body in joint Session, for the purpose of receiving the Governors Message

Whereupon the Speaker appointed as such Committee Messrs Morris, Lewis on of Shaw and Pindall

Mr Cluck offered the following Resolution

"Resolved That the Sergeant at Arms be authorized to appoint One Janitor to serve during the present Session

Mr Richardson moved to amend the resolution by inserting two Janitors in place of one at fifty Dollars Each per month

Mr Brinkley moved as a substitute that the Janitor be elected

Mr Dunn moved an amendment to the amendment offered by Mr Richardson to make the Salary of Each Janitor Twenty Dollars instead of Fifty

And on motion of Mr-Garrison of Shaw the whole matter was laid upon the table.

Messrs Morris of Carroll, William H Barry and G.D. Holmes appeared within the bar of the House and Circuit Court and took the oaths prescribed to the Each of Office administered by Chief Justice English in accordance with law and entered upon the discharge of their duties as Reporter Entairer

Mr Morris of Crow offered the following resolution

"Resolved, that an office of Chaplain be dealined and the several ministers of the City be invited to open our Sessions with prayer. The several denominations alternating

Which motion was decided to be out of order

The next business before the House being the Election of a Chaplain

And the Clerk having called the roll When the following ballots were for Mr.

Dr. Mess Archer, Barnett, Black & Wann alph. Dobo, Brewer, Brown of White, Bonnicastle, Burns Davidson of Grant, Duncan of Izard, Dickinson, Fraser, Greening, Hare, Hartsell, Holmes, Mack, Martin, Minor, Moore, Pindall, Pridy, Riddick Richardson, Trusler, Thurber, Tate, Taylor, Thomas, Walker of Washington, and Wann,

The following named members voted for Mr. Lee. Mess Barry, Blackwood, Brumley, Brent, Curtis, Cruikshanks, Dettor, Daniel, Holman, Keith, Lee of Accomack, Lee of Norton, Loveman, Lorre, Miller of Clark, Norris, Quarles, Owen, Simmons, Upton, Walker of Columbia, Weir, Williams and Mr Speaker.

The following named members voted for Mr Early Mess. Archer, Barnett, Black & Burns, Carter, Conway, Dudley, Dickinson, Gordon, Joyner, Lewis, Daily, Wallace, McConnell, McCracken, Miller of Comm., Norris of Stone, Rodes, Turner, and Washburn,

The following named members voted for Mr Gerrish Mess. Brown of Lee, Carter, Cox, Eskridge, Garrison, Gibson, Hurley, Hudson, Jennings, Mc Curtis, Murphy, Payne, Quarles, Smith and Wright.

Recapitulation of the vote first Ballot

Mr Dye received	31. votes	
Mr Lee received	23 votes	
Mr Early received	20 votes	
Mr Gerrish received	16 votes	
Total votes cast	90 votes	
Necessary to a choice		46 votes

No one having received a majority of all the votes cast, there being no Election

The Clerk was directed to call the roll and the following named members voted for Mr Dye.

Before finishing the vote Mr Lewis was called and in the absence of Mr Speaker he withdrew

Whereupon the Clerk again proceeded to call the roll

When the following named members voted for Dye Messr Archer, Barnett, Blackwood, Bobo, Brewer, Brown of Lee, Brown of White, Burnside, Burns, Burridge of Grant, Burton of Bond, Curry, Dickson, Dreuth, Greenlee, Hargis, Hatfield, Holmes, Hudson, Jarnigan, Mack, Martin, McMurtry, Minor, Moore, Payne, Pinnell, Rozell, Rucker, Richardson, Simmons, Smith, Stubbs, Tate, Taylor, Thomas, Tipton, Trusty of Catoosa, Trusty of Washington, and Trusty

The following named members voted for Mr. Lee Mess. Barry, Bradley, Brittle, Cain, Creekmore, Felts, Fishback, Fraser, Haddy, Holman, Kent, Lee of Hamilton, Lee of Hunter, Lowe, Mills, Minor of Clarke, Morris of Carroll, Owen, Simmons, Williams, Wright, and Mr Speaker.

The following named members voted for Mr. Early. Mess. Austin, Baum, Bluett, Boone, Burke, Cate, Conway, Cowan, Dare, Hunter, Hyden, Gilbert, Hardy, Harrison, Jordan, Joyner, Kemp, King, Love, Maynard, McConnell, McCreless, Mitchell of Conway, Morris of Stone, Murphy, Roden, Sutton, Washburn, and Weir

Recapitulation of the vote first had
Seventh Ballot

Mr. Eye received	47 votes
Mr. Lee received	27 votes
Mr. Early received	27 votes
Total vote cast	91
Necessary to a choice	46

No one having received a majority of all the vote cast the House proceeding with the Eighth ballot

Mr Lee withdrew his name as Mr Eye.

A Message was announced from the Senate by its Assistant Secretary Mr. W. Fawcett, as follows.

Mr Speaker

January 25th 1879.

Mr Speaker,

I am instructed by the Senate to inform your honorable body, that the Senate is now ready to proceed to the election of Chaplain by joint Assembly at 11. O'clock this morning to receive the Governors Message.

Wm. J. Rietzheimer
Secretary.

The Clerk was directed to call the roll and proceed with the ballot for Chaplain. Then the following names were voted for Mr Dye. Mess Creekmore, Barnes, Cash, Church of Randolph, Blackwood, Force, Forney, Brinkley, Britt, Brown of Lee, Brown of White, Brumley, Lowrie, Byrum, Carter, Cannon of Stanly, Carlton of Yancy, Dameron, Dickinson, Dalton, Dorsett, Dreeding, Hanby, Hare, Holt, field, Holmes, Hudson, Jameson, Nicholson, Martin, McMurtry, Mullen of Clark, Minor, Morris, Mayo, Nicholls, Priddy, Powers, Riddick, Richardson, Simmons, Sinnott, Stanley, Stokes Sale, Saylor, Timms, Tyson, Tucker of Columbus, Tucker of Washington, Warner, Williams, Worthington Mr Speaker,

The following names were voted for Mr. Early Messrs. Arthur, Burke, Breck of Boone, Church, Conway, Cherry, Cunningham, Dewey, Faircloth, Gilliam, Fraser, Gilliland, Harrison, Holden, Holmes, Jordan, Joyner, Keith, Kemp, King, Lee of Nash, Lee of Martin, Lowdermilk, Love, Mimms, McConnell, McKee, Mullen of Surry, Morris of Currel, Morris of Stokes, Murphy, Green, Roulhac, Turner, Townsend, Weir, Woodward

Recapitulation of the vote just had

Eighth Ballot	
Mr Dye Received	54 Votes
Mr Early received	67 Votes
Total votes cast	121 votes
Necessary to a Choice	61

Mr Dye having received a majority of all the votes cast was declared elected

Chaplain of the House of Representatives

After the election of Chaplain

Mr Broadnax moved that a Committee of three be appointed to wait upon the Governor and notify him that the House of Representatives is ready to receive his message at the hour of Eleven Oclock this day. no objection

The Speaker appointed as such Committee Messrs Brady, Wright & Warren.

On motion of Mr Conway and there being no objection the time of the Sessions of the Legislature was extended to the Arkansas Historical Association" for next Monday night.

Mr Walker of Columbia moved that a Committee of Three on Joint Rules be appointed and there being no objection

The Speaker appointed as such Committee Messrs Walker of Columbia, Pinkard and Stanley

Mr Pindall offered the following Resolution

"Resolved that the motion dispensing with the office of Assistant Door Keeper be reconsidered"

On motion of Mr Shipp the House took a recess to Eleven Oclock

After recess

The Sergeant at Arms announced the approach of the Senate.

Whereupon the Senate proceeded by its officers appeared and took seats within the bar of the House and after being seated

The President took the Chair and announced the object of the Meeting to be the reception of the Governors Message

The Secretary of the Senate called the roll and the following Senators answered to their names. Messrs Armistead, Boyd, Carlton, Crism, Crosley, Dinsmore, Ferguson, Gantt, Halliburton, Hanna, Harris, Hill, Jackson

Kerr, Mitchell, Mulky, Pennington, Reid,
Rutherford, Stanford, Terry, Thornton,
Tipton, Watkins, Watson, White, Whittington,
Williams, Wilson and Mr President.

A quorum present

The Clerk called the roll of the House and the following members answered to their names: Messrs Archer, Auten, Barnett,
Burley, Barry, Buck of Boone, Blackwood,
Bobo, Braly, Brewer, Britt, Brumley, Lee,
Brown of Mills, Brumfield, Burke, Burns,
Carter, Cook, Conway, Greenmore, Cruse,
Bright, Cunningham of Sharp, Cunningham of
Izard, Dawson, Dewley, Dickinson, Felton,
Fishback, Fitzhugh, Green, Gillam, Greenwig,
Hanly, Harrison, Holden, Horsfield,
Holmes, Hudson, Jameson, Jordan,
Joyner, Keith, Kemp, King, Lee of Howard,
Lee of Perry, Londermilk, Love, Meek,
Martin, McConnell, McCracken, McMurtry,
Miller of Clark, Miller of Conway, Minor,
Moore, Morris of Carroll, Morris of Searcy,
Murphy, Oneal, Payne, Pickens, Priddy,
Quarles, Rector, Richardson, Rowe,
Simmons, Sinnott, Trulock, Tucker, Tate,
Thomas, Turner, Dyer, Wells of Columbia,
Wells of Washington, Warren, Washburn,
Weir, Williams, Wright and Mr Speaker
a quorum present

Mr Jordan Senator from Lawrence moved that a Committee of two from the Senate and three from the House be appointed to notify the Governor that the joint Session was ready waiting for his Message

Whereupon the President of the Senate appointed as such Committee on the part of the Senate Messrs. Jordan and Armistead and upon the part of the House Messrs Barnett, Green and Stanley.

Senator Jordan from the Committee reported that they had discharged that duty and that the Governor would send in his message immediately.

The Sergeant at Arms announced a Message from the Governor

Whereupon Hon James M. Pomeroy Private Secretary to the Governor appeared within the bar of the House and read as follows

Message from
The Governor

On motion of Mr Larkin the House at 12 o'clock and 49 minutes P.M. adjourned to 9.30 o'clock A.M. to-morrow.

John G. Holland
Clerk

J. F. Beardsley
Speaker

House of Representatives

Little Rock Arkansas
Thursday January 16th 1879.

The House met pursuant to adjournment at half past nine O'clock A. M

The roll was called and the following members answered to their names Mess Archer, Askew, Barnett, Barton, Bass, Black of Boone, Black of Sandusky, Blackwood, Bobo, Brady, Brewer, Brizzolara, Brooks, Brown of White, Burrow, Burns, Carter, Cheek, Conway, Cooper, Creamer, Cummings, Davidson of Pike, Davidson of Izard, Dawson, Deviney, Dickinson, Felton, Fishback, Griffin, Graves, Greer, Gibson, Greening, Hairby, Hall, Hannum, Holden, Holman, Horrell, Holmes, Hudson, Jamison, Jaynes, Kent, Keach, King, Lee, Leonard, Lewis, Martin, McConnell, McCracken, McMurtry, Mellon of Clark, Mellon of Conway, Mimms, Moore, Morris of Carroll, Morris of Izard, Murphy, Oglesby, Payne, Rhodes, Roberts, Riddick, Richardson, Roden, Simmons, Simmons, Smith, Stubbs, Sutton, Taylor, Thomas, Trice, Tyson, Wallace of Columbia, Warren, Wash, Lawrence, Weir, Williams Wright & Mr Speaker

a quorum present.

Mr Archer from the special Committee appointed to inform the Hon Mr Jas N. Dye of his election, reported that they had performed that duty

Whereupon Mr Dye the complainant elect came forward and after prayer.

The Clerk proceeded to read the Journal of yesterday's proceedings

Pending which on motion of Mr Wallace of Washington the reading was dispensed with as the Journals were distributed

Mr Wallace of Washington objected to the Journal as now read and moved to its approval

There being no objection the Journal of yesterday was approved and signed by the Speaker and Clerk of the House

Mr Brady offered the following resolution
"It is advised that we be invited to meet with the House in joint Session at 11 Oclock for the purpose of opening and publishing the votes cast and given for Governor, Secretary of State Treasurer of State, Auditor of State, and Attorney General."

Which motion was put and carried.

Mr Walker of Columbia from the Committee on Joint Rules made the following report.

Mr Speaker;

We, your Committee appointed to confirm with a Committee from the Senate on Joint Rules, beg leave to submit that we have conferred with the Senate Committee, and we respectfully recommend the adoption of the Joint Rules of the last General Assembly as the permanents rules for the government of this General Assembly

J C Walker
Chairman of Committee.

The report of the Committee was received and adopted

Mr Brady from the Committee on Rules of the House made the following report:

Mr Speaker;

Your Special Committee on Rules have had the same under consideration and would respectfully recommend the adoption of the rules of the last House of Representatives with the following amendments:

First. That rule 7. be amended to read as follows: "All Committees shall be appointed by the Speaker unless otherwise directed by the House, in which case they shall be appointed by a majority vote, taken viva voce."

Second. That Rule 8. be abolished.

Third. That the last sentence of Rule 16. be amended to read "A motion submitted in writing shall not require a second."

Fourth. That Rule 19. be amended by striking out the word "or" in the 4th line from the top, and insert the word "to".

And also, by striking out all of the proviso

Fifth. That Rule 20. be amended by striking out the word "taken" in the 2nd line and inserting the word "consider".

Sixth. That Rule 21. be amended by

adding "provided, that after the previous question shall have been adopted the mover of the main question or Chairman of the Committee shall have the privilege of closing the debate, and be limited to one hour."

Seventh. "Amend Rule 29. by striking out the words "is made" in the 5th line from the top."

Eighth. That Rule 53. be amended by striking out the word "Nine" in the 5th line from the top, and inserting the word "twelve" and adding to the same sentence, "one of whom to be elected from each Judicial Circuit of the state" and also, by adding to the Rule "a Committee on State Charitable Institutions" and also, "a Committee on Retrenchment."

Respectfully submitted
Braly Chairman.

Mr Fishback moved that the amendments reported by the Committee on Rules be read seriatem.

Which motion was adopted.

Whereupon the amendment to Rule 7. was read and put to the House.
And adopted.

The amendment to Rule number 8. was taken up, and upon a division being called for. was put to the House.
And lost.

Mr Pindall appeared within the Bar of the House and answered to his name.

The amendment to Rule No 16.
was taken up.
and upon a vote by the House.
Was lost.

The amendment to Rule No 19. was next taken up.
And adopted.

~~Rule~~ The amendment to Rule 20.
Was adopted.

The amendment to Rule 21.
was adopted.

The amendment to Rule 29.
was adopted.

The amendment to Rule 53.
was adopted.

On motion of Mr Quarles.
Messrs Anderson and Skinner were invited to seats upon the floor of the House.

The Rules as amended, being put to the House, were adopted as the Rules governing the present session.

Mr Walker of Washington moved.
That one hundred copies of the Rules, as adopted, be ordered printed in pamphlet form, for the use of the House.

Mr Taylor moved to amend by ordering two hundred and forty copies in lieu of One hundred copies.

Mr Thomas moved to further amend, by adding the new committees to the Rules.

Mr Barry moved to still further amend by making it five hundred copies.
Pending which.
On motion of Mr Barnett.
The original motion, ~~was~~ as amended by Mr Taylor, inserting two hundred and forty copies, instead of One hundred, and "adding the names of the Representatives, and the Counties which they represent respectively"
was adopted.

Mr Richardson introduced the following Resolution;
"Resolved that the Sergeant at Arms be required to furnish each member of this House, with ten, three cent stamps, ten newspapers, and ten daily newspapers each day, or their equivalent in weeklies."

Mr. Jamison moved as a substitute the following

"I move as a substitute for the resolution of the gentleman from Calhoun that the Sergeant at arms be required to furnish each member of the House 10 one cent newspapers, 10 Daily Papers or their Equivalent in Weeklies

Mr Stubbs moved to indefinitely postpone the entire subject matter

Pending which

The Sergeant at Arms announced a message from the Senate

When Mr Tuckerly the assistant Secretary read as follows:

Mr Speaker

I am instructed by the Senate to notify your honorable body that they will meet you in joint assembly to count the vote at 11. O'clock

Lou D. Kretschmar
Secretary

The Sergeant at Arms announced the approach of the Senate

The Senate preceded by its officers entered within the bar of the House and took seats. Hon. M. M. Dustin President of the Senate presiding

The Secretary of the Senate called the roll and the following Senators answered to their names Messrs. Armistead, Boyd, Carlton, Chism, Crowley, Duncan, Ferguson, Gantt, Gatewood, Hanna, Harris, Hico, Jacobus, Kerr, Mitchell, Mulkey, Pennington, Reid, Rutherford, Terry, Thornton, Tipton, Watkins, Watson, White Whittington, Williams, Wilson, and Mr President. 24. And a quorum present.

The Clerk of the House called the roll and the following members answered to their names. Messrs. Archer, Aikin, Barnett, Bartley, Black of Boone, Black of Randolph, Blackwood, Bond, Brady, Brewer, Britt, Brown of Lee, Brown of Pike, Brunson, Burke, Burns, Curtis, Clock, Conway, Cooley, Creekmore, Cunningham, Dunnaway, Davidson of Izard, Garrett, Dennis, Dickinson, Dillard, Fishback, Gipson, Green, Gilliam, Greening, Hunter, Haro, Harrison, Holder, Hatfield, Holmes, Jackson, Jordan, Keith, Kerr, King, Lee of Lonoke, Lorraine, Lyon,

Mack, Maynard, Martin, McConnell, McCracken
McMurtry, Miller of Clark, Miller of Gurray, Minor,
Moore, Morris of Stone, Murphy, Orth, Payne,
Peden, Priddy, Quarles, Riddick, Richardson,
Rodes, Simmons, Simmons, Stanley, Stubbs, Tate,
Taylor, Thomas, Turner, Tyson, Wackerly of Columbia,
Walker of Washington, Warren, Washburn, Weir,
Williams, Wright and Mr Speaker. 84
A quorum present.

The President of the Senate explained that the object of the joint assembly being for the purpose of opening and publishing counting the vote for Governor, Secretary of State, Auditor, Treasurer and Attorney General

The Speaker then proceeded to open and count the vote as required by law, with the following result

For Governor

W. R. Miller.	58,730 votes
Milt. Rice	5. "
J. N. Upshur	1. "
W. L. Bell	1. "
D. A. Fox	1. "
J. C. McGuire	5. "
W. P. Grace	2. "
E. N. Lemmay	1. "
Thomas Fletcher	3. "
Jeff. Rice	1. "
Fletcher	1. "
J. O. Cloud	2. "
J. C. Logan	1. "
Martin Derr	2. "
Scattering	15. "

W. R. Miller having received a majority of all the votes cast was declared elected Governor of the State of Arkansas in accordance with law and for the term prescribed by law

For Secretary of State

Jacob Frolich	58152 votes
James Duncan	72. votes
A. J. Rogers	4 "
J. J. Baugh	1. "
Robert Patterson	1. "
E. B. Beavers	4. "
William McCollough	5 "

vote for Secretary of State Continued
Charles E Cunningham 87 votes
Scattering 2 votes
Jacob Frolich Having received a majority of
the votes cast was declared elected Secritary of
State in accordance with law and for the term
prescribed by Law.

For Auditor
John Crawford received 86,84 votes
W. Cleary " 1. "
N. E. Duffie " 0 "
John Crawford having received a majority of
all the votes cast was declared Elected Auditor
of the State in accordance with law and for
the Term prescribed by Law

For Treasurer
Thomas J. Churchill received 88,038 votes
L. H. Leuth " 1. "
G. W. Bonnifas " 0. "
J. C. Duck " 2. "
Mr Thomas J. Churchill having received
a Majority of all the votes cast was declared
Elected Treasurer of the State in accordance
with law and for the Term prescribed by law.

For Attorney General
William F. Henderson received 88509 votes
W. L. Coats " 5 "
W. O. Burrows " 2. "
Scattering " 1. "
William F. Henderson having received a majority of all the votes cast was declared
Elected Attorney General of the State in
accordance with law and for the Term prescribed
by Law.

Senator Judkins offered the following resolution:
"Resolved that a committee of five to be
composed of three members from the House of
Representatives and two members from the
Senate be appointed to wait upon Wm R
Miller, Jacob Frolich, John Crawford, T. J. Churchill and
Wm F. Henderson, and inform them of their
election to their respective offices and notify them that the General Assembly in Joint
Session will be ready to receive them for

the purpose of their qualification to said offices at any time they may jointly indicate.

Which was adopted and the President appointed as such Committee, Senators Judkins and Williams, and Representatives Albright, Archer and Brown of Lee.

On motion of Representative Stubbs, the Joint session was dissolved, and,

The Senate preceded by its officers retired from the House.

Mr Barnett moved that the House adjourn until tomorrow morning at 9:30 Oclock A.M.

Which motion being put

was lost.

Mr Miller of Clark moved to adjourn to four oclock this evening.

Mr Stanley moved to amend to 2:30 oclock this evening.

The question recurring on the motion of Mr Miller of Clark,

The same was put,
and lost.

The question then recurring on the motion to adjourn to 2:30 Oclock this evening,

The same was put

And Carried.

And,
accordingly, the House, adjourned to 2:30 oclock P.M.

After the Recess.

The House at 2:30 oclock P.M. met pursuant to adjournment.

The Clerk called the roll, and the following members answered to their names:
Messrs: Archer, Askew, Barnett, Barker

Barry, Black of Boone, Black of Randolph, Black=wood, Bobo, Brady, Brewer, Brinkley, Britt, Brown of Lee, Brown of White, Bumpass, Burris, Carter Black, Conway, Creekmore, Cunningham, Davidson of Izard, Dawson, Denby, Dickinson, Felton Fishback, Flippin, Fraser, Furbush, Gillam Greening, Hardy, Hare, Harrison, Holden, Holman, Holifield, Holmes, Hudson, Jamison, Jordan, Joyner, Keith, Kemp, King, Lee of Howard Lee of Newton, Lowdermilk, Mack, Maitland, Martin, McConnell, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Carroll, Morris of Stone, Owen, Payne Pindall, Priddy, Quarles, Riddick, Richardson Roden, Simmons, Simmons, Stanley, Stubbs, Tate Taylor, Thomas, Turner, Tyson, Walker of Columbia, Walker of Washington, Warren, Washburn, Weir, Williams, Wright and Mr Speaker.

A quorum present.

The Speaker called Mr Hardy to the Chair.

Mr Davidson of Clark, appeared within the Bar of the House and answered to his name.

The question being on the substitute offered by Mr Jamison to the Resolution of Mr Richardson as amended by the House,

Mr Lee of Howard moved,
That the whole subject matter be laid upon the table.

The ayes and nays were called for,
And the call sustained.

The Clerk called the roll, and the following members voted in the affirmative, Messrs. Anderson Black of Boone, Bobo, Brady, Brinkley Brown of Lee, Brown of White, Bumpass, Burris, Brady, Cunningham, Davidson of Izard Felton, Flippin, Fraser, Furbush, Gillam Hudson, Jordan, Kemp, King, Lee of Howard Lee of Newton, Mack, Martin, McConnell McCracken, McMurtrey, Miller of Conway.

Minor, Moore, Morris of Carroll, Simmons, Stubbs, Turner, Walker of Washington. 36.

The following named members voted in the negative, Messrs Askew, Barnett, Barker, Barry, Black of Randolph, Blackwood, Brewer, Britt, Burke, Carter, Chuck, Conway, Creekmore, Davidson of Charles, Dawson, Derby, Dickinson, Fishback, Greening, Hardy, Hare, Harrison, Holden, Holman, Holifield, Holmes, Jamieson, Joyner, Keith, Lowdenbilk, Lowe, Maynard, Miller of Clark, Morris of Stone, Murphy, Owen, Payne, Pindall, Priddy, Quarles, Riddick, Richardson, Roden, Simmons, Stanley, Tate, Taylor, Thomas, Tyson, Walker of Columbia, Warren, Washburn, Weir, Williams, and Wright. 55.

In the Affirmative 36.
In the Negative 55.
91.

So the motion was not agreed to.

Mr Burke moved that the matter be referred to a Committee of five to report on tomorrow morning, which

was agreed to.

The Speaker, thereupon appointed as such Committee Messrs Burke, Stubbs, Pindall, Richardson and Jamieson.

Mr Mack offered the following Resolution:

"Resolved that the Speaker appoint one Janitor, who shall perform all the duties usually performed by such officer and that his compensation be fixed at Thirty Five Dollars per month."

Mr Lee of Newton, offered as a substitute the following:

"Resolved, that this House now proceed to the election of two Janitors who shall receive the sum of three Dollars per day for their services

Mr Richardson, moved to amend the substitute by making the pay of the Janitors $50.00 each per month.

Which being put, was carried.

The question then recurring on the substitution of the resolution of Lee of Morton as amended by the House for the resolution of Mr Mack

The same was put and carried.

The question now being upon the adoption of the substitute resolution as amended

The same was put and adopted.

The House then proceeded to the election of Two Janitors.

Mr Maynard placed in nomination the name of Mr Henry G. Clay of Pulaski County

Mr Barry placed in nomination the name of Mr Binford

Mr Bobo placed in nomination the name of Mr Davis

Mr Murphy placed in nomination the name of Mr Dipton

Mr Walker of Columbia placed in nomination Mr Stokley

Mr Hudson placed in nomination the name of Mitchell Hudson

Mr Forbush placed in nomination the name of Thos. C. Cato

Mr Dillon placed in nomination the name of Cyrus D. Hill.

Mr Brewer placed in nomination the name of Mr Henry Clay of Crittenden Co.

The Chair announced that they should be voted for and elected Separately.

Thereupon the Clerk called the roll and the following named members voted for Mr Binford Messrs. Barry and Jordan

The following named members voted for Mr Henry G. Clay of Pulaski Messrs Archer, Black of Boone, Black of Randolph, Britt, Conway, Cosby, Creekmore, Cunningham, Darrow, Dewey, Feltner, Fraser, Furbush, Groening, Hahman, Hatfield, Kent, Lee of Herron, Lee of Morton, Mack, Maynard, McConnell, Miller of Conway, Orrin, Rodes, Simmons, Turner, Warner, and Williams

The following named members voted for Mr Davis Messrs. Bobo, Buckley, Brown, Lee

Crumpass, Dudley, Holden, Holmes, Owens, Richardson, Stubbs, and Thomas

The following named members voted for Mr Dipton. Miss Burns, Gillam and Murphy,

The following named members voted for Mr Stanley Misses Barker, Dickinson, Sinclair, Simmons, Walker, of Columbia, and Wallace of Washington.

The following named members voted for Mr Anderson Miss Anderson, Lowe, McMurray, and Snyder.

The following named members voted for Mr. Cyrus P. Dice Miss Askew, Blackwood, Brady, Brown of White, Bourke, Curtis, Cluett, Davidson of Knox, Davidson of Lake, Dillon, Hare, Harrison, Jamison, Kemp, King, Lowdermilk, Martin, McCracken, Miller of Clark, Nunn, Moore, Morris of Carroll, Morris of Stone, Priddy, Reed of Stanly, Sale, Dyson, Washburn, Weir, Wright, and Mr Barnes

Mr Snyder voted for Mr Scott

Mr Brown voted for Henry Clay of Pittsylvania

Recapitulation of the vote just had.

Mr Binford received	2 votes
Mr Henry Clay received	29. votes
Mr Davis received	11. votes
Mr Dipton received	5. votes
Mr Stanley received	6. votes
Mr Hudson received	4. votes
Mr Dice received	32. votes
Mr Scott received	1. vote
Mr Henry Clay received	1 vote
Whole number of votes cast	89

Necessary to a choice 45.

No one having received a majority of all the votes cast There was no election

And a second ballot was ordered

Mr Fishback moved to reconsider the vote adopting the resolution providing for the Election of Two Janitors and there being objection to its immediate consideration ~~thereof~~
The same was laid over under the rules.

Mr Fishback moved to adjourn until to morrow morning at 9.30 Oclock
Which was not agreed to.

The Clerk proceeded with the call of the roll and the following members voted for Mr Henry G. Clay of Pulaski Miss. Barry, Black of Bourbon, Britt, Chipmore, Cunningham, Denton, Dunlap, Deltour, Draper, Greening, Holman, Holifield, Hudson, Jordan, Keith, Lee of Howard, Lee of Merton, Maynard, McMurtry, Miller of Conway, Morris of Carroll, Simmons, Taylor, Warner, & Williams

The following named members voted for Mr Hill. Miss Archer, Asher, Barnett, Burkett, Black of Randolph, Blackwood, Bobo, Brady, Brewer, Brinkley, Brown of Lee, Brown of White, Brooks, Brown, Curtis, Chick, Conway, Coody, Davidson of Thurp, Davidson of Izard, Stipler Dunbarah, Daw, Harrison, Holden, Holmes, Jamison, King, Kimbrough, Moore, Martin, McCollum, McCracken, Miller of Clark, Minor, Moore, Morris of Stone, Orsen, Riddick, Priddy, Rodgers, Simmatt, Stanley, Stubbs, Tate, Thomas, Turner, Tyson, Walker of Columbia Walker of Washington, Washburn, Weir, and Wright

The following named members voted for Mr Davis Miss Bumpass, Fishback, Hanly, Meeks, and Richardson.

During the vote Mr Hudson withdrew the name of Fletcher Hudson

Mr Payne voted for Mr Binford.

Miss Gillam and Murphy voted for Deltour

Miss Dickinson and Sid Dew voted for Mr Stocker

Recapitulation of the vote first had
2d Ballot

Mr H.C. Clay received 27 votes
Mr Hill received 56 votes
Mr Davis received 5 votes
Mr Binford received 1 Vote
Mr Tipton received 2 votes
Mr Hackney received 2 votes
Total vote cast 93
Necessary to a choice 47.

Mr Cyrus D. Hill having received a majority of all the votes cast was declared elected as one of the Janitors of the House of Representatives of the present session.

The Clerk was ordered to call the roll for the Election of another Janitor

And the following Members voted for Mr H.C. Clay Messrs Archer, Allen of Boone, Barnett, Barker, Barry, Black of Boone, Black of Randolph, Blackwood, Brewer, Britt, Brown of Lee, Burns, Curtis, Cheek, Conway, Coody, Creekmur, Cunningham, Davidson of Shelby, Davidson of Lewis, Davis, Derby, Deltus, Dippin, Draper, Durbeen, Gilliam, Greening, Hare, Harrison, Holden, Holman, Holifield, Holmes, Hudson, James, Jordan, Keith, Kemp, King, Lee of Howard, Lee of Morton, Lore, Mack, Martin, Marvel, McConnell, McMurtry, Miller of Clark, Miller of Conway, Minor, Morris of Carroll, Morris of Stone, Murphy, Orear, Priddy, Riddick, Rodes, Simmons, Simmons, Smith, Stubbs, Sayler, Swan, Swan, Tarrant, Marmaduke, Washburn, Weir, Wells, Williams, and Wright

The following named members voted for Mr Davis Messrs. Bobo, Bradley, Brumback, Burke, Dishman, Dandy, Fordermiller, Guerin, Richardson, Dale and Thomas

Mr Payne votes Mr Binford

Messrs Brady, Brown of White, Dickinson, McCracken, Moore, Pindall, Walker of Columbia

Ballot Tracker of Washington vote for Mr Stockley

Recapitulation of the vote first had

Mr H.G. Clay received 40 votes
Mr Ward received 11 vote.
Mr Binford received 1. vote
Mr Stockley received 8. votes
40 votes

Necessary to a choice 46 votes

Henry G. Clay of Dulaski received a majority of all the votes cast & was declared elected a member of the House of Representatives of the Gen. Ass. at this session

On motion of Mr McConnell at half past four O'clock P.M.
The House adjourned until to morrow morning at 9:30 O'clock

John G. Holland
Clerk

J. F. Bearden
Speaker

House of Representatives

Little Rock, Arkansas
Friday January 17th 1879.

The House met pursuant to adjournment at half past Nine Oclock A. M.

The Clerk called the roll and the following members answered to their names Messrs Archer, Arnett, Barnett, Barton, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Brady, Brewer, Brinkley, Britt, Brown of Lee, Brown of White, Bynum, Byrd, Burke, Burns, Curtis, Conway, Cruckmore, Cunningham, Davidson of Ouachita, Davidson of Izard, Dorsey, Dooley, Dickinson, Felton, Fishback, Flippin, Fraser, Garrison, Gilliam, Greening, Hanly, Hare, Harrison, Holden, Holman, Holifield, Holmes, Hudson, Jameson, Jordan, Joyner, Keith, Kemp, King, Lee of Desha, Lee of Perry, Lorddemilk, Love, Mack, Martin, McConnell, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Cassell, Morris of Stone, Murphy, Orrow, Payne, Pindall, Priddy, Quarles, Riddick, Richardson, Rodgers, Simmons, Simmons, Smith, Stubbs, Tate, Taylor, Thomas, Tyson, Walker of Columbia, Walker of Washington, Warren, Washburn, Weir, Williams and Mr Speaker. and a quorum present

The proceedings were opened with prayer by the Chaplain Mr Dye.

Mr Jamison asked that Mr Wright excused on account of sickness

Which was granted

Messrs King, Turner, Clark and Maynard answered to their names.

The Clerk read the Journal of yesterdays proceedings, and the following corrections were made; on the question of substituting Mr Jamison motion for the resolution of Mr Richardson Mr. Archer votes "aye" also insert the word "in" after the word amend in line four from the top in Rule No. 19. The Journal

as read and corrected was approved and signed by the Speaker and Clerk of the House.

The Speaker announced the following Standing Committees

On the Judiciary

Hanley, Minor, Pindall, Hare, Braly, Conray, Dickinson, Priddy, Mills of Clark, Cunningham, Fraser and Harrison.

On Auditors and Treasurers Boards

Walker of Columbia, Stubbs, Dunn, Brown of Lee, Kemp and Davidson of Sharp

On the Militia

Aiken, Archer, Washburn, Chick, Brewer, Lane and Overstreet

On Insurance

Barry, Fraser, Settles, Morris of Stone, Pindall, Lane and Mack

On Education

Fishback, Barry, Quarles, Moore, Richardson, McCracken and Darsey

On Internal Improvements

Williams, McConnell, Murphy, Hare, Riddick, Settles, and Long

On Ways and Means

Walker of Washington, Fishback, Burke, Taylor, Hudson, Hanley and Weir.

On Agriculture

Griffin, Burnett Holman, Bosse, Quarles, Keith, and Owen.

On Counties and County Lines

Dale, Simmons, Mills of Clark, Cameron, Daniel, Orr of Ozark, Greenup, and Riddle of Boone

On Railroads

Barnett, Burke, Fishback, Williams, Barker, Wright, and Farmer

On Roads and Highways
Weir, Morris of Carroll, Miller, Miller of Conway, Keith, Greening, and Gilliam

On Enrolled Bills
McConnell, Jimison, Brewer, Morris of Stone, Maynard, Hare and Brown of White

On Engrossed Bills
Braly, Brown of Lee, Davidson of Sharp, McMurtry, Kemp, Holifield and Bratt

On Journal
Taylor, Harrison, King, Brown of White, Simmons, Block of Randolph, Jordan

On Elections
Thomas, Slipkin, Brumley, Mack, Britt, Dyson, and Burbeck

On Public Printing
Stubbs, Moore, Barry, Hudson, Simmons, Bumpass, and Hudson

On the Penitentiary
Burks, Davidson of Sharp, Fraser, Archer, McConnell, Joyner, and Holmes

On Claims
Stanley, Blackwood, Walker of Washington, Bryan, Lowdermilk, McCracken and Joyner

On Memorials
McCracken, Lowe, Dyer, Morris of Stone, Warren, Priddy, and Lowdermilk

On Public Buildings
Wright, Dickinson, Washburn, Rodgers, McMurtry, Holifield and Simmons

On Public Expenditures
Stubbs, Keith, Brewer, Black of Boone, Lee of Howard, Miller of Conway and Jordan

On Federal Relations
Minor, Black of Randolph, Moody, Quarles, Jordan, Morris of Stone and Conway

On State Lands
Swindell, Braly, Dickinson, Mellon of Clark, Quarles
Brown of Lee and Burnett

On Circuit and Justices Courts
Coody, Morris of Carroll, Conway, Simpson,
Richardson, Cunningham and Holman

County and Probate Courts
Davidson of Sharp, Bobo, Curtis, Black of Randolph,
Brinkley, Green and Holmes

On Cities and Towns
Archer, Walker of Columbia, Tate, Warner,
Holeman, Kemp, and Payne

On Immigration
Burke, Murphy, Lonsdermilk, Britt, Lee of
Newton, Braly, and Burbank

State Charitable Institutions
Gannaway, Thomas, Murphy, Hudson, Hunley,
Mace 16, and Cureton of Izard

On Retrenchment
Moore, Minor, Tate, Bobo, Green, Shipp
and Wright

Mr Stubbs moved that the name of the "Committee
on State Charitable Institutions" be changed to that of "Committee
on Insane asylum"
which was ruled out of order

Mr Barnett moved that a Special Committee
on Insane asylum be appointed
which motion was adopted

Mr Shipp moved the following
Mr Speaker. I move that a Committee of
five be appointed to take into consideration
the collection of the Revenue of the State

Mr Thomas moved to lay the motion of
Mr Shipp on the table
which motion upon a divi
sion of the House was adopted

Mr Burke from the Special Committee made

the following report "Mr Speaker

Your Committee to whom was referred the matter of newspapers, Stamps &c beg leave to submit the following report; We have agreed on ten daily papers per day, or forty weekly papers per week, and Stamps on Newspaper wrappers to the amount of 20¢ per day for Each member as a fit number, — We have conferred with the Gazette and Democrat Offices, and obtained their prices, which are respectively 4¢ per copy for Daily Issue and 6¢ for Weekly and 2¢ for Daily and 3¢ for Weekly

All of which is respectfully submitted

Burke

Chairman

Mr Williams offered the following Amendment to said report "Amend so as to read, "ten cents in postage or wrappers, and five dollars or their equivalent in weeklies"

Mr Dobo moved an amendment to the amendment by adding thereto "at the expense of the member obtaining the same

The question being on the amendment to the amendment

The same was put and Lost

Mr Barnett moved to postpone the whole subject matter until 11 Oclock to morrow morning.

Which was not agreed to

Mr Mack moved an amendment to the amendment (... ... ...) as follows "The papers ordered to shall be every thing that publish the proceedings of this House

Which was agreed to

The question occurring on the amendment of Mr Williams as amended by Mr Mack

Mr Archer moved to amend by striking out the words "postage or"

which was not agreed to

Mr Morris of Ann offered the following
"I move to substitute twenty Seventy-five
and twenty one cents per week for each to each
member of the House"
which motion was not agreed to

Mr Thomas moved the previous question
which was ordered

The main question being on the amendment of
Mrs Williams as amended
The Yeas and Nays were first
and adopted

The question then recurring on the adoption of the
the Special Committee as amended
The same was put and upon
a division of the House
was lost

Mr Thomas moved to reconsider the vote
just had and then being objection to its
immediate consideration
The same was laid over under
the rules

Mr Wright from Special Committee to wait upon
the Governor and other State officers that they
certain what time would be most convenient
and to them to be inaugurated reported,
that Eleven O'clock A.M. of this day would
best suit their convenience
Was adopted to be discharged

Mr Murphy gave notice of Contest by
Geo A. Montgomery against E. Maynard.
and sent papers to the Speakers desk

The Speaker laid before the House the papers
in the Contested Election between Messrs
Embagee and Denby of Montgomery County

Mr Mann of Columbia offered the following
resolution:
"Resolved that the Clerk of this
House be authorized to furnish each Member

of this House 10 Daily Papers and 10 one cent Papers each day

-Which was ruled to be out of order

Mr Fishback offered the following resolution

"Whereas; The purity and absolute freedom of the ballot are of the utmost importance in a government by the ballot;

And Whereas a Committee of the United States Senate is now engaged upon an investigation of facts in connection with infractions of the right of suffrage in the States of the Union with a proposed view to ascertaining a remedy and

Whereas the larger the number of facts the more valuable will be the generalisation or conclusions drawn from them and

Whereas; during the period of Reconstruction, there were from Forty to forty Thousand of the legal democratic voters of this State who were periodically deprived of a free exercise of their suffrage, either by fraud or intimidation or both and

Whereas; Notwithstanding many instances of outrageous frauds upon the ballot were brought in 1874 to the attention of the Republican Committee of the National House of Representatives, and by sworn testimony yet the distinguished presiding officer of that House has recently declared from the floor of the Senate that "he" doubted if it be in the power of the most searching investigation to show that in any Southern State during the period of Republican control any legal vote was ever debarred from the freest exercise of his "suffrage"

— A statement which would involve either the very gross inefficiency of such Committee or very gross ignorance of this finding on the part of those who believe such an ascertainment

And

Whereas; It is desirable that the Committee now engaged in a like investigation make their inquiry searching and complete, lest its labors be

anxious to the charge of a like inefficiency on its members to the charge of a like ignorance, and its investigation therefore prove fruitless of beneficial results, and,

Whereas, It is charged by some of the Republican press of the north, that the right of suffrage is not freely enjoyed by the colored voters of Louisiana, and,

Whereas, It is alleged by members of this Body that in one county of this state, in 1870, a very large number of the legal voters of the county who were democrats, were debarred from the free exercise of their suffrage, while at the same time a large number of ballots were fraudulently voted under fictitious names, taken from the Directory of one of the northern cities.

That, in many of the counties of this state, where the white population were largely in the majority just before the election of 1872, the Boards of Reviews, met, in secret and scratched from the registration lists, names, by the hundreds of legal voters, who had been legally registered and for no other known reason except that it had been ascertained they would not vote the right way. That, indeed many of the victims were young men who had just attained to manhood, and not infrequently honorably discharged soldiers of the Federal Army, who were so unfortunate as to be democrats, were thus "scratched" by these Boards, the members of which were generally themselves candidates for lucrative offices, at the same elections.

That, on election day, armed militia and Deputy Marshals surrounded the polling places using menaces calculated and designed to intimidate these illegally "scratched" voters from voting at the side polls erected under the enforcement act.

That in several instances they actually arrested men for no other offence than that of offering to vote at such polls.

That on the day of election, printed circulars purporting to be by order of the Governor but, having no signature were distributed among the election officers (all of whom were Republicans) directing them to permit no man to vote whose name was either absent or scratched from the registration lists. no-

matter how illegally. That as an instance and an illustration of their methods early in the morning of election day in 1872, in the Town of Fort Smith a few negro voters of the precinct were stationed in a line from the door of the polling place across the street, where they stood until the closing of the polls preventing all, except such as they chose to permit to vote, while in a room just above the polling place were armed and drilled men under command of officers assembled for the purpose of overcoming any resistance to these so great outrages, and that in the meantime Deputy Marshals swarmed about the polls in numbers almost as great as that of the republican voters.

That the better to carry out these outrages, the Judges of election refused to allow the democratic supervisors appointed by the United States District Court, to sit with them, ejecting one after another as fast as the Judge appointed them until he consented to appoint the one whom they themselves designated.

That, at the same election, one of the voting places of Crawford County was removed by stealth from the usual place to a canebrake on the farm of the United States Marshal known to the republican voters, but unknown to democrats.

That the marshal transferred one of his clerks to this place, and made him a clerk of election. That the same clerk swore before the Poland Committee that he saw that ballot box stuffed with fraudulent votes.

That the democrats in the exercise of a commendable patience, and forbearance, appealed to the United States District Court for the enforcement of the laws made for their protection. But the guilty marshal failed to summon the grand jury selected, after the usual manner, summoning in their stead a number of his partisans and fellow conspirators from whom to make up a grand jury in the necessary default of the regular panel.

That a few democrats and honest republicans who were interested in the punishment of these crimes against the ballot, having an intimation of the marshals intended default themselves notified regular panel to appear:

but upon their assembling the Court quashed the regular
formed and gave the Marshal his opportunity of
Making up a new Panned of the very men
who were more or less implicated, thus preventing
the punishment of any guilty Party;
Had an address setting forth these facts was
drawn up and signed by Twenty one Members
of the Bar of the Western District of Pennsylvania
and forwarded to the President and Senate
of the United States, to the Hon. O. D. Grier who
reported that he handed it in to a Committee
of the Senate, where it has since slept, with,
out a protest, without even a notice of that
honorable body And
Whereas, Many other devices were resorted
to, during that unhappy period, by which to
debar "legal voters from a free exercise of their
suffrage!" and which should be known to the
Country and especially to the Senate Committee
now engaged with the subject, that they may
be the better prepared to draw intelligent Con-
clusions as to the remedy due to great an
evil; Therefore

Be it Resolved by the
House of Representatives of the State of
Pennsylvania That a Committee of Nine be
of its members selected from different
Sections of the State be appointed by the
Chair, to inquire into and report such facts
in connection with the violation of the
right of Suffrage in this State as can
be established by competent testimony and
also such to be forwarded to our Senators
and Representatives in Congress before
the adjournment of its present Session

Mr Darrah moved to lay the Re;
solution on the table

Mr Fisher rose
to a point of order
and the Chair sustained
the point of order

H.J.R 1.
HJR No 1.

Mr Pickbach introduced HJR No 1.
"Proposing an
amendment to the Constitution of the State.
Which was read the first time

H.J.R. 2.

Mr Bobo introduced HJR No 2
"Proposing an
amendment to Sec 24 Art 7. of Constitution of the
State
Which was read the first time

H.J.R 3.

Mr Moore introduced HJR No 3
"Joint Resolution
proposing amendments to the Constitution"
Which was read the first time

Mr Burke moved that a Committee of five
be appointed to wait upon the Senate and
inform them that the House will be ready
at the Hour of 11 Oclock A.M. this day for the
inauguration of the Governor and other Executive
officers

The Speaker appointed as such Com,
mittee Messrs Burke, Barnett, Bobo, Brown of
Lee and Miller of Clark

Mr Burke Chairman of said Committee
reported that said Committee had performed
that duty and asked that they be discharged

The Sergeant at Arms announced the
approach of the Senate

Whereupon the Senate
preceded by its officers entered the Hall
of the House of Representatives and had
seats on the floor Hon W.M. Duffie
President of the Senate took the Chair

The Secretary was ordered to call the
roll and the following Senators answered to their names Senators Armistead,
Boyd, Chism, Crosby, Duncan, Ferguson,
Gantt, Gatewood, Hanna, Harris, Hill,
Jenkins, Kerr, Mitchell, Mullins, Pennington,
Reid, Rutherford, Stanford, Terry, Thornton
Tipton, Watkins, Watson, Whittington, Williams
Wilson and Mr President

a quorum present

The Clerk called the roll of members of the House and the following answered to their names Mess. Archy, Adkerr, Barnes, Barry Black of Bacon, Black of Hancock, Blackwood, Bobo, Brewer, Brinkley, Britt, Brown of Lee, Brown of White, Bumpass, Burns, Burns, Carter, Chick, Conway, Cresmore, Cunningham, Davidson of Dare, Denson, Derby, Dickinson, Dortch, Dishrock, Dippin, Draper, Drobert, Dillard, Green, ing, Hardin, Hare, Harrison, Holden, Holman, Horsfield, Holmes, Hudson, Jarmon, Jordan, Jarper, Keith, Kemp, King, Lee of Harnett, Lee of Martin, Linder, mick, Love, Mack Manning, Martin, McConnell, McCracken, McMurtry, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy Green, Payne Pindall, Priddy, Quarles, Riddick, Richardson, Rodin, Simmons, Simmatt, Starling, Stubbs, Tate, Taylor, Thomas, Brown, Olson, Miller of Columbia, Martin of Washington, Warren, Washburn, Weir, Williams, Wright and Mr Speaker a quorum present

The President explained that the object of the meeting was the inauguration of the Governor and other State Executive officers.

Mr Davidson of Stanly appeared within the bar of the House and answered to his name

Senator Jordan of Committee appointed to notify the Governor and the other State Executive officers made the following report.

Mr President

Your Committee have been appointed to notify the several State officers elect of their election to their several offices and to ascertain from them at what time it would be most convenient for them to appear before the General Assembly in joint session to receive the oath of office, would beg

leave to report, that they have discharged that duty and would report back the several officers elect would on the 19th of January 1899

J. B. Judkins
Chm of Committee

The report of the Committee was received and the Committee discharged

Mr Watson moved that a Committee of five consisting of two from the Senate and three from the House be appointed to notify the Governor and other State officers that the joint session was in waiting to receive them

Whereupon the President of the Senate appointed as such Committee Senators Watson and Norris and Representatives Pickard, Simmons and Davidson of Thurp.

The Committee returned and reported the Officers elect present and ready to be inaugurated and were discharged.

The Governor elect William D Meiss appeared within the bar of the House was invited to the Speakers Stand and delivered his inaugural address to the General Assembly

After which the Oath of office was administered to him by Chief Justice English in accordance with law.

Hon Jacob Frolich Secretary of State elect came forward and took the Oath of office administered to him by Chief Justice English in accordance with law.

Hon John Crawford Auditor elect was then sworn by Chief Justice English in accordance with law

Hon Thomas J. Churchill Treasurer elect came forward and took the oath of office prescribed by law. Chief Justice English administering the same

Hon William T. Anderson Attorney General elect arose next and was Chief Justice Bigbee administering the Oath of office prescribed by-Law.

After which the President announced the Joint Assembly dissolved and the Senators preceded by their officers retired from the Hall of the House of Representatives.

The Speaker called the House to order

Mr Bishback offers the following resolution

Whereas. The purity and absolute freedom of the ballot are of the utmost importance in a government by the ballot; and

Whereas a Committee of the United States Senate is now Engages upon an investigation of facts in Connection with infractions of the rights of suffrage in the States of the Union with a proposed view to ascertaining a remedy, and

Whereas. The larger the number of frees the more valuable will be the generalization or Conclusions drawn from them; and

Whereas, during the period of Reconstruction there were from Thirty to Forty Thousand of the loyal democratic voters of this State, who were periodically deprived of a free exercise of their suffrage, either by fraud or intimidation or both; and

Whereas, notwithstanding many instances of outrageous fraud upon the ballot were brought in 1874, to the attention of the Republican Committee of the National House of Representatives and by sworn testimony, yet the distinguished presiding officer of that House has recently said upon the floor of the Senate that "he doubted if it be in the power of the most discerning investigation to show that in any Southern State during the period of Republican Control any legal voter was ever debarred from the free Exercise of his suffrage" a statement which would

indicate, either the very grass inefficiency of such Committees, or very gross ignorance of them finding on the part of those who believe such such assertion. And

Whereas, It is asserted that the Committee, were engaged in a like investigation make their inquiry searching and complete, lest its labors be obnoxious to the charge of a like inefficiency, or its members to the charge of a like ignorance and its investigation therefore, forever fruitless of beneficial results. And

Whereas, It is charged by some of the Republican Press of the North that the right of suffrage is not freely enjoyed by the colored voters of Kentucky; And

Whereas; It is alleged by members of this body that in one of the State in 1870, a very large number of the legal voters of the County who were Democrats were debarred from free exercise of their suffrage while at the same time a large number of ballots were fraudulently voted under fictitious names taken from the Directory of one of the North, ern cities.

That in many of the Counties in this State, where the white population were largely in the majority; yet before the election of 1872 the Boards of Registration met in secret and scratched from the registration lists, names of hundreds of legal voters, who had been legally registered and for no other reason except that it has been ascertained "they would not vote the right way".

That indeed many of the victims were young men, who had just attained to manhood and not infrequently honorably discharged soldiers of the Federal Army, who were so unfortunate as to be Democrats, were thus "Scratched" by these Boards, the members of which were generally themselves candidates for lucrative offices at the same Election.

That on Election day armed Militia and deputy Marshals surrounded the polling-places, using menaces and threats and designed to intimidate

these illegally Ocrated voters from voting at the said polls created under the Enforcement Act.

That in several instances they actually arrested men for no other offence than that of offering to vote at such poll.

That on the day of Election printed Circulars (four pretended to be by order of the Governor, but having no signature were distributed among the election officers (all of whom were Republicans) directing them to permit no man to vote whose name was either absent or scratched from the registration lists no matter how illegally. That as an instance and an illustration of this method, Early in the morning on election day in 1872 in the town of Fort Smith the Ferrhegro voters of the precinct were stationed in a line from the door of the polling place across the street where they stood until the opening of the polls, preventing all except such as they chose permit to vote, while in a room just above the polling place were armed and drilled men under the command of officers appointed for the purpose of overawing any resistance to their outrages and that in the meantime deputy Marshalls surrounded about the precincts almost to great, that of the republicans

That the means to carry out these outrages the Judges of election refused to allow the democratic supervisors appointed by the United States District Court to sit with them, ejecting one after another just as the Judge appointed them, until the Governor appointed the democrats designated. That at the same election one of the voting places of Crawford County was removed by stealth from the usual place to a cave or vale on the farm of the United States Marshall, known to the republican voters but unknown to democrats.

That the Marshall transferred one of his Clerks to this place and made him a Clerk of Election. That the same Clerk swore before the Grand Committee, that

herein that Ballot box stuffed with fraudulent votes. That the Democrats in the exercise of a Commendable patience and forbearance appealed to the United States District Court for the Enforcement of the laws regarding for their protection, but the guilty Marshall failed to summon the Grand Jury selected upon the usual manner, summoning in their stead a number of his partisans and fellow Conspirators for him, whom to make up a Grand Jury in the necessary default of the regular panel. That a few Democrats and honorable citizens who were implicated in the commission of these crimes appeared at the ballot box having due intimation of the Marshals intents duped themselves realizing the regular to appear, but upon their assembling the Court quashed the regular panel, and gave the Marshall new opportunity of making up a new panel of Grand Jury men who were more or less implicated, thus preventing the punishment of the guilty party. That an address setting forth these facts was drawn up and signed by Twenty one Members of the bar of the District of Columbia and sent to the Senate of the United States through the Hon. S. Alice of the courts that Honored it in to a Committee of the Senate where they since that without a report and without even a notice by that Honorable Body.

Whereas, Many and diverse more courts to claiming that unhappy people by which to "declare legal voters from a free exercise of their suffrage" and which should be known to the Country and especially to the Senate Committee now engaged with the subject, that they may be the better prepared to draw intelligent conclusions as to the remedy for so great an evil.

Therefore be it

Resolved by the House of Representatives of the State of Arkansas that a Committee of nine of its members elected from different sections of the

State, be appointed by the Chair to prepare such a report upon facts in connection with the violation of the rights of suffrage in this State as can be established by competent testimony and in time to be forwarded to our Senators and Representatives in Congress before the adjournment of its present session.

Mr. Dunbar moved that Two Hundred Copies of the resolution be printed and that a Committee of Nine be appointed to gather up facts in support of the resolution and that they report by or before the hour

Mr. Stubbs moved that the resolution and the subject matter be tabled.

A division being called for
The Clerk called the roll and the following members rose in the affirmative. Messrs Adreon, Allen, Black of Randolph, Brinkley, Brown, Cummingham, Dawson of Lucas, Denny, Dexter, Fleming, Lee of Morton, Miller, Nelson, Minor Owen, Richards, Stubbs, Mason, and Speaker 19.

The following members rose as the names were called, Messrs Barnett, Barton, Berry, Black of Knox, Blue Grass, Bobo, Borah, Bowers, Brewer, Britt, Brown of Lee, Brown of White, Burnham, Burns, Cain, Cline, Conrad, Corbin, Creekmore, Davidson of Shasta, Dickinson, Fleshman, Fuson, Gish, Glisan, Graves, Harbison, Hibben, Keeling, Keller, Kerr, Kincaid, Lee of Humboldt, Lindsay, Lee of Morton, Miller, Mitchell, McConnell, McGrath, McGinty, Milam of Clarke, Milam of Conway, Moore, Nelson of Garland, Nunn of Pulaski, Murphy, Payne, Pindall, Reddy, Rowell, Richardson, Rodgers, Simmons, Simrall, Stuart, Tate Taylor, Thomas, Turner, Tyson, Walker of Columbia, Walker of Washington, Washburn, Weir, Wright and Wyatt 75.

In the affirmative 19
In the negative 72
91.

So the motion to table was lost

Mr Barbee moved the previous question
Which was ordered

Mr Brady moved that the proposition be voted for Separately

Which was agreed to

The question recurring on the motion of Mr. Dishman to lay on the table until tomorrow
Which was put and carried

The question then being on the printing of Two Hundred copies

Ayes and Nays ordered for
The Clerk called thereof

The following members voted in the affirmative Messrs Anderson, Barnett, Black of Bacon, Black of Randolph, Blackmon, Bliss, Brewer, Britt, Brown of Lee, Bumpass, Burke, Burns, Curtis, Clark, Conway, Darden of Sharp, Dawson, Dewey, Dickinson, Dish, Dock, Dupree, Fraser, Gibson, Greening, Harden, Harrison, Holden, Holman, Holtzfield, Holmes, Hudson, Inman, Jordan, Joyner, Keith, Kemp, Lee of Hoke, Londer, Mebane, Maynard, McConnell, McCracken, McInnis, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Carteret, Morris of Stone, Owen, Payne, Pittman, Reddy, Rawls, Richardson, Robeson, Sanderlin, Stanly, Tate, Taylor, Turner, Trask, Venn, Wren, Wright and Mr Speaker 64

The following members voted in the negative Messrs Brem, Burke, Barry, Bruer, Brindley, Brown of White, Creed, Moore, Cunningham, Davidson of Jas, Dellinger, Gilmer, Ward, Craig, Lee of Nash, Love, Mebane, Martin, Murphy, Riddick, Simmons, Stubbs, Thomas, Tyson, Watts of Columbia, Wicker of Washington, Warren and Williams. 27

In the affirmative 64
In the negative 27
91

So the Motion was agreed to and Five hundred Copies ordered printed.

Mr. Martin of Washington asked leave to introduce a Bill

There being objection

He asked for a Suspension of the rules

which was not agreed to

Mr Stanley introduced the following resolution

Resolved, That the Committee on Retrenchment be and they are hereby instructed to inquire into and consider, the Expenditures of the various Departments of the State Government during the past two fiscal years, and from the Itemised account of said Expenditures as shown in the Auditors by annual reports of Sept 30. '78; and from any and all sources of information which may be accessable to them, they make a now and estimate from of the amounts of the items of Expenditures which in their opinion might have been or in the future may be omitted or lessened and that they at as early an day as pos. shall report to this House the results of their investigations, together with such recommendations as the interest of the public service may in their judgment require; and that for the purposes of this investigation said Committee have access to the Books, Papers and future Records of the said various Departments of the State government

Which resolution was adopted

Mr Lowe moved that the Salary of the pages be fixed at Five Dollars per day

which was not agreed to

On motion of Mr Stubbs the House at 3 Minutes to 12 o'clock M. took a recess to 2.30 P.M.

After Recess

At 2.30 P.M: the House pursuant to adjournment

The Clerk called the roll and the following members answered to their names Mess Archer, Askew, Barnett, Barton, Barry, Black of Bacon, Blackwood, Blackwood, Blackmon, Bois, Bray, Brewer, Brinkley, Brice, Brim & Lee, Brown & White, Bolingsley, Purtle, Burns, Curtis, Clark, Conway, Crockmore, Davidson of Thurs, Davidson of Dar, Dewberry, Dickinson, Dettner Dishaek, Dilfield, Fraser, Gilliam, Gunning, Hall, Harrison, Holman, Howard, Holmes, Hudson, Jameson, Jordan, Joyner, Keith Kemp, King, Lee of Howard, Lee of Morton, Lowdumilk, Lowe, Mack, Maniard, Martin, McConnell, McCorkle, McMurtry, Miller of Clark, Miller of Conway, Mizell, Moore, Morris of Stone, Owen, Payne, Pindall, Purtle, Quarles, Rydrick, Richardson, Robertson, Simmons, Simpson, Stanley, Stubbs, Tate, Taylor, Thomas, Turner, Tyson, Waller of Columbia, Weldon of Washington, Warren, Washburn, Weir, Williams, Wright and Mr Speaker

a quorum present

Mr Cody was granted leave of absence on account of sickness.

Mess Dawson, Holder, and Morris of Carroll were excused on account of illness

On motion of Mr Dickens to Mrs Beulah Dale was allowed the privilege of addressing the House in behalf of the Ladies Benevolent Association

Mr Riddick was granted leave to introduce the following resolution

Resolved. That the Committee on Railroads be instructed to investigate whether any of the Railroads

operated within this State practice any discrimination in their charges for either freight or passage against any of the points along their line and within this State, and that said Committee further inquire into the manner railroads operated both within and without this State charge more per mile for either freights or passage in that portion of their line operated within the State, than it does in that portion of its line operated without the State; and further as to whether any such Railroad or Railroads discriminates in any manner against the Citizens of this State, and that said Committee report to this House at an early day as possible the result of their inquiry by Bill or otherwise

Which resolution was adopted

Notice of Motion introduced a resolution as follows.

Resolved, that the Committee on Retrenchment be instructed to ascertain and report the cost to the printing of the resolution offered by the gentleman from Sebastian (Mr Dickson) for investigation of alleged frauds Committed in 1872 does not exceed ten dollars

Mr Pindall moved to lay the resolution on the table.

Which was carried

Mr Whitsitt answered to his name

On motion of Mr Mackey of Columbia Mr Lyon was added to the Committee on Auditors and Treasurers ~~Accounts~~ Roll

On motion of Mr Ault Mr Williams was added to the Committee on Education

On motion of Mr McComas Mr Lyon was added to the Committee on Retrenchment

On motion of Mr Hudson Mr McMurtry

was added to the Committee on Counties and County lines

Mr Williams offers the following Resolution

Resolved that the Committee on the Judiciary be and they are hereby directed to inquire into the expediency of the appointment by the General Assembly of a Committee to frame a Constitution for the State of Arkansas to be submitted to the qualified electors of the State for their ratification or rejection and that they report by Bill or otherwise

Which Resolution was rejected.

H.B No.1. Mr Gannet introduced H.B. No 1. "An act making appropriation to pay for repairs of the Hall of the General assembly furnishing the same &c

Which was read the first time

H.B. No 2 Mr Irwin introduced H.B. No 2. "An act to reduce the expenses of administering the State government

Which was read the first time

H.B. No 3. Mr Dale introduced H.B. No 3. "An act to amend an act providing a general Election law"

Which was read the first time

H.B. No 4. Mr Trulin of Washington, introduced H.B No 4. "An act entitled an act to appoint, Commissioners for Salaries of Supreme, Circuit and Chancery Court Judges, for the two years ending March 5th 1879

Read first time

H.B No 5 Mr Gibson introduced H.B. No 5. "An act to repeal an act amending Section 1350 of Gantts Digest, approved January 23rd 1875 and to revive said Section of Gantts Digest

Read first time

H B No. 6 Mr Urehu introduced H B No 6. "An Act to require License of Druggists and others to sell Spirituous Liquors for Medicinal purposes and to regulate the Same"
which was read the first time

Mr Purbrick asked for a Suspension of the Rules in order that the Bill may be read a second time and referred to the Com. Matters on the Judiciary
Which motion was not agreed to

H B No. 7 Mr Cobbe introduced H. B. no. 7 "An act to amend section 5334 Gault's Digest"
Which was read the first time

H. B. No. 8. Mr Brett introduced H. B. No 8. "An act to amend an act in regard to Removing property on which there is a mortgage or Lien"
which was read the first time

H. B. No. 9. Mr Mackay of Avondale introduced H. B. No 9. "An act to amend section 3920 Gault's Digest"
Which was read the first time

H B No. 10 Mr Thomas introduced H. B. No. 10. "An act to regulate the sale of property under mortgages and deeds of trust"
Which was read the first time

H B No 11 Mr McConnell introduced H. B. No 11 "An act to legal an act Entitled an act to provide for the Employment and hiring of County Convicts and prescribing the duties and fees of officers charges thereof" approved March 18th 1877
Read first time

H B No 12 Mr Smith of Conway introduced H B No 12 "An act to repeal so much of an act as creates Courts of Common Pleas in Conway County"
Read first time

H.B. 13 | Mr Barry introduced H.B. No 13. "An act to amend the law on the subject of Larceny
Which was read the first time

H.B No 14 | Mr Lee of Martin introduced H.B. No 14 regarding Salaries of Special Circuit Judges"
Which was read the first time

H.B No. 15. | Mr Davidson of Sharp introduced H.B. No 15. "A proposed amendment to the Constitution"
Which was read the first time

H.B. 16 | Mr Date introduced H.B. No 16.
"An act to change the boundary line between Baxter and Stone County
Which was read the first time

H.B. 17 | Mr Straley introduced H.B. No 17
"An act abolishing the Court of Com. non Pleas of Jackson County and disposing of all actions and proceedings pending therein"
Which was read first time

H.B. 18 | Mr Davidson of Izard introduced H.B No 18.
"An act to change the time of holding the Circuit Courts in the 2nd Judicial Circuit" and for other purposes
Which was read the first time

H.B. 19 | Mr Walker of Columbia introduced H.B. No. 19. "An act to amend Section 5053 Gantts Digest
Which was read the first time
On motion of Mr Mc Cracken the House at 3:30 o'clock P.M. adjourned until to morrow morning at 10 o'clock

John L. Hacard
Clerk

J. T. Bearden
Speaker

House of Representatives

Little Rock Arkansas
Saturday January 18th 1879.

The House met pursuant to adjournment at 9.30 Oclock A.M.

The Clerk called the roll and the following named members answered to their names Mess Archer, Askew, Barnett, Bartlett, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Brady, Brinkley, Britt, Brown of Lee, Brown of White, Burns, Carter, Church, Conway, Creekmore, Davidson of Sharp, Davidson of Izard, Darrow, Dewby, Dickinson, Dolter, Fishback, Flippin, Fraser, Furbush, Gillam, Greening, Hanley, Hare, Harrison, Holden, Holmes, Holifield, Holmes, Hudson, Jameson, Jordan, Journey, Keith, Kemp, King, Lee of Howard, Lee of Norton, Lowdermilk, Lowe, Mack, Maynard, Martin, McConnell, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Orrem, Payne, Pindall, Priddy, Quarles, Riddick, Richardson, Rodgers, Simmons, Simmott, Stanley, Stubbs, Tate, Taylor, Thomas, Turner, Tyson, Walker of Columbia, Walker of Washington, Wann, Washburn, Weir, Williams, Wright and Mr. Speaker

a quorum present

Rev. Mr. Dye the Chaplain of the House offered prayer

The Journal of yesterday was read and corrected by inserting the words "the Governor elect subscribing to the same" after the word "English" also in the notice of contest of Montgomery against Maynard adding the words "and Simmott" and by further correcting the same and inserting after the word "and Simmott" "and Granville Riles against Maynard and Simmott" "Pending" the reading of the Journal Mr Dishpeck moved that the reading of the resolution calling for a committee of nine to investigate be dispensed with which was agreed to

After which the Journal was approved and signed by the Speaker and Clerk of the House

Messrs Cummyham and Bumpass answered to their names

The Speaker acided Mr Holden to the Committee on Militia and announced as the following

Committee on Apportionment

Mills of Clark, Mills of Conway, Keith, Love Holden, Brown of Lee, Archer and Brumpass

Mr Thomas moved to take up the motion to reconsider the vote by which the report of the Special Committee on newspapers, postage &c as amended was rejected. Which was offered by him yesterday

Which motion was agreed to.

The Question then being "Shall the vote by which the report of the Special Committee as amended, on Newspapers, postage &c was rejected, be reconsidered

Which was decided in the affirmative

Mr Thomas now moved that the amendment be rejected

Which was ruled out of order

Mr Richardson moved as a substitute "that the Clerk furnish Ten daily papers or its equivalent in Weeklies and ten cents postage to each member daily" and moved the previous question

Which was ordered

The question now being shall and

Upon the ayes and noes being called for

The call was sustained

The question now being on the substitute of Mr. Richardson for the report of the Committee as amended.

The Clerk calls the roll and the following names members voted in the affirmative Messrs, Archer, Asker, Barnett, Burton, Barry, Blackwood, Brewer, Brinkley, Brown of Lee, Brumbass, Burke, Burns, Carter Conway, Creekmore, Davidson of Chap, Davidson of Izard, Dewley, Fishback, Fairbush, Fleming, Hanly, Hare, Harrison, Holden, Hatfield, Holmes, Jamison, Jordan, Jaynes, Keith, Dorrdemille,

Mr McMurtry, Miller of Clark, Morris of Barnett, Morris of Stone, Orey, Payne, Pridall, Priddy, Quarles, Riddick, Richardson, Swinnett, Stanley, Tate, Taylor, Thomas, Tyson, Walker of Columbia, Warren, Washburn, Wright, Dickinson and Mr Speaker 55.

Those voting in the negative were Messrs Black of Boone, Black of Randolph, Bobo, Brady, Britt, Brown of White, Church, Cunningham, Harbin, Felton, Hipkins, Fraser, Gilliam, Holman, Hudson, Kemp, King, Lee of Harnett, Lee of Martin, Lowe, Mack, Maynard, Martin, McConnell, McCracken, Miller of Surry, Minor, Moore, Murphy, Poden, Simmons, Stubbs, Turner, Walker of Washington, Weir, and Williams 36.

In the affirmative 55
In the negative 36
91.

So the Substitute was adopted.

Mr Fishback moved that Mr Cochrane be added to the Committee on Roads and Highways and Messrs Stanley and Mack to the Committee on the Judiciary

which was agreed to

Mr Wright moved that Mr Richardson be added to the Committee on Printing

which was agreed to

Mr Brown of White moved that Mr Leach be added to the Committee on Education

which was agreed to.

Mr Priddy moved that Mr Washburn be added to the Committee on Railroads.

which was agreed to

Mr Barry moved the following Resolves that the Clerk be instructed to buy 6 cts for each copy of the city daily papers

which was not agreed to

Mr Bardin moves the following Resolved that

That J. G. Simmons of Lincoln be added to the Committee on Penitentiary

Which was agreed to

Mr Burleush moved to add the name of Mr Gillam to the Committee on Retrenchment

Which was agreed to

Mr Irwin moved the following

It is moved that Mr Jordan of Polk be added to the Committee on Education

Which was agreed to

Mr Cunningham offered the following

"Resolved That no further additions be made to any of the Standing Committees"

Which was not agreed to

Mr Fraser moved the following

"Resolved That all the members of the House be placed on all the Committees

Which was not agreed to

Mr Lee of Newton introduced the following

"Whereas; It is the Custom of all the States of the Union to have floating over their Capitol the American Flag, the Symbol of our great and glorious Country and there is now no flag over our Capitol

Therefore Be it Resolved That the Sergeant at Arms is hereby instructed to raise or cause to be raised the American flag over the Capitol during the deliberations of the General Assembly.

Which was adopted.

Mr Dayton moved the following

"Resolved That the Secretary of State be requested and he is hereby authorized to extend to the members of the House of Representatives, the use of any books in his office, taking receipts for same to be returned at any time before the adjournment of the General Assembly

Which resolution was adopted

Mr Bumpass moved the following Resolution
"Resolved that this House be furnished with the L.R. Daily Democrat and thereby save half the expense of paper
Which was not agreed to

Mr Riddick introduced the following
"Whereas; The cost of Speeches made in the House amounts to about two dollars and a half per minute and
Whereas;
The temptation natural to young orators to indulge in lengthy harangues is greatly increased by the notices of the daily Newspapers; and
Whereas, There seems to be a general desire on the part of the House to economise; Therefore be it
Resolved in the interest of true economy, that the daily Press of this City, be requested not to refer to any Member of this House, either by name or County in connection with his Speeches made on the floor; but that when reporting any Speech made on this floor, they refer to the member making the same as "A Member" without giving his name or County, and that a Committee of three be appointed by the Speaker to inform the Press of the wishes of this House

Mr Gorle moved that the word "young" be stricken out

Mr Fishback moved that the resolution be rejected
The motion to reject was agreed to

The introduction of Bills being now in order

HJR No 4 Mr Lobo introduces HJR No 4. "Proposing an amendment to Sec 29 of Art 19 of the Constitution
which was read the first time

HB No. 20 Mr Carter introduced H.B. No 20 "A Bill to be entitled "An act fixing the time for holding the Probate Court of Pike County"
Which was read the first time

HB. No 21 Mr Stubbs introduced H.B. No. 21 "A Bill to

amend Section 1299 Revised Statute"
Which was read the first time

H.B. No 22 Mr Pinkerton introduces H.B. No 22 "A Bill to be entitled An act to aid in the preservation of Birds, Birds Eggs, and deer &c"
Which was read the first time

H.B. No 23. Mr Brooks introduced H.B. No 23. "An act to reduce the outstanding liabilities of the State"
Which was read the first time

H.B No 24 Mr Braly introduces H.B No 24. "An act to establish a State board of Health in the State of Arkansas."
Which was read the first time

H.B No. 25 Mr Stubbs introduced H.B. No 25 "A Bill to repeal Sects 1544-1551 inclusive of Revised Statutes of Arkansas"
Which was read first time

H.B No 26 Mr Washburn introduced H.B. No 26. A Bill to be entitled "An act to give the Justices of the Peace of this State exclusive jurisdiction in cases of misdemeanor"
Which was read a first time

H.B No. 27 Mr Martin introduces H.B No. 27. "An act to make appropriations for certain purposes and on certain conditions for the current expenses of the Benevolent Institutions of the State, in cases where the State fails to make the necessary appropriations therefor"
Which was read the first time

H.B No 28 Mr Dickinson introduced H.B No 28 "An act to change the boundary-line between the Counties of Cheat and Desha"
Which was read the first time

H.B. No 29. Mr Washburn introduced H.B. No 29 "A Bill to be entitled an act to change the time for holding the Courts in the Twelfth Judicial circuit of this State
Which was read the first time

H.B No 30 Mr Lewis introduces H.B. No 30. "An act

to amend An act to fix the time for holding Circuit Court in the County of Ashley"
Which was read the first time

H.B. No 31. Mr Minor introduced H.B No 31. "A Bill for An act to be Entitled "An act to amend Section (1994) Nineteen Hundred and Ninety four Revised Sections Two thousand and fifteen Two thousand and Sixteen and Two thousand and Seventeen of Gantts Digest"
Which was read the first time

H.B. No 32. Mr Minor introduces H.B. No 32. "A Bill for an act to be entitled "An act to amend Sections (38) Thirty Eight and Thirty Nine (39) of an act Entitled an act to establish fees" approved February 25. 1875"
Which was read the first time

H.B. No 33. Mr Rodgers introduces H.B. No 33 "An act to introduce the art of printing into the deaf Mute Institute of Arkansas also an appropriation for the same"
Which was read the first time

H.B. No 34 Mr Gray introduces H.B. No 34. "An act to Amend the Common School Law"
Which was read the first time

H.B. No 35 Mr Minor introduces H.B. No 35. A Bill for an act to be Entitled "An act to Amend Section Thirty five hundred and Seventy (3570) of Gantts Digest"
Which was read the first time.

H.B. No 36 Mr. Minor introduced H.B. No 36. A Bill for an act to be Entitled "An act to fix the Compensation and Mileage of Members of the General Assembly of the State of Arkansas"
Which was read the first time

H.B. No 37 Mr Pindall introduced H.B. No 37 "A Bill for An act Entitled "An act to provide a general System of Railroad Laws of this State"
Which was read the first time

On motion of Mr Hanly Mr Minor was granted leave of absence until Tuesday next the 29th inst

Mr Aaker moved to take a recess to 2 1/2 o'clock P.M.
Mr Cunningham moved that the House now adjourn to Monday. The question was put and the House at thirteen minutes past 3 o'clock P.M. ~~the House~~ adjourned until Monday morning at 10 o'clock the 20th inst.

John G. Holland
Clerk

J. T. Rearden
Speaker

House of Representatives

Little Rock Ark
Monday January 20th 1879

The House met pursuant to adjournment at 9.30 A. M

The Clerk called the roll and the following members answered to their names Mess Archer, Baker, Barnett, Barry, Black of Boone, Bloch of Randolph, Blackwood, Braly, Brinkley, Britt, Brown of Lee, Brown of White, Bunn, Carter, Cheek, Creekmore, Cunningham, Darden of Chicot, Davidson of Izard, Dawson, Dewberry, Dickinson, Elliott, Fishback, Fiddler, Fraser, Frierson, Gillam, Greening, Hanley, Hare, Harrison, Holden, Horsfield, Holmes, Hudson, Jordan, Joyner, Keith, Lewis, King, Lee of Howard, Lee of Newton, Lordunmilk, Love, Maxwell, Martin, McConnell, McCracken, McMurtry, Miller of Clark, Miller of Conway, Moore, Morris of Carroll, Morris of Stone, Mosby, Owen, Payne, Priddy, Reeves, Reid, Richardson, Rodgers, Simms, Starnes, Stubbs, Tate, Taylor, Thomas, Turner, Tyson, Warren of Columbia, Warren of Washington, Warner, Weir, Williams and Mr Speaker. 76 and a quorum present

Rev. Mr Dye the Chaplain of the House offered prayer.

On motion of Mr Charles leave of absence was granted Mr Burke

Mr Fishback asked that Mr Bobo be excused on account of sickness — which was granted

On motion of Mr Britt Mr Adamson was excused on account of sickness

Mr Love asked that Mr Barker be excused on account of sickness

Which was granted

Mr Taylor asked that Mr Brewer be excused on account of sickness

Which was granted

Mess Jamison, Wright, Simpson and Washburn and Spinnenweber answered to their names

The Clerk read the Journal of the proceedings on Saturday the 18th inst and there being no objection

the same was approved and signed by the Speaker and Clerk of the House.

On motion of Mr King and there being no objection Mr Eagle was invited to a seat on the floor of the House

Mr Simmons moved that the Sergeant at Arms and Door Keeper of the House be instructed to lower the windows of the Hall of the House of Representatives Eighteen inches

which was agreed to.

Mr Fishback moved that the resolution appointing a Committee of Nine for the purpose of investigation be adopted

The ayes and noes being called for the Clerk called the roll and the following members voted in the affirmative: Messrs: Askew, Barnett, Barry, Black (Bone) Blackwood, Bobo, Braly, Britt Brown (Lee) Brown (White) Bumpass, Carter, Chuck Conway, Creekmore, Davidson (Shark) Dawson, Dickinson, Fellner, Fishback, Griffin, Graves, Firbush, Gillam, Greening, Hanly, Hare, Harrison Holden, Holifield, Holmes, Hudson, Jameson Jordan, Joyner, Keith, Kemp, King, Lee (Howard) Lowdermilk, Lowe, Maynard, McConnell, McCracken, McMurtrey, Miller (Clark) Miller (Conway) Moore, Morris (Carroll) Morris (Stone) Murphy, Payne, Priddy, Quarles, Richardson, Roden, Simmons, Sinnott, Stanley, Tate, Taylor, Thomas, Turner, Tyson, Walker (Columbia) Waeker, (Washington) Washburn, Weir Williams, Wright and Mr Speaker. 71.

The following members voted in the negative, Messrs: Archer, Black (Randolph) Brinkley, Burns, Cunningham, Davidson (Izard) Dewby, Lee (Newton) Mack, Martin, Owen, Riddick Stubbs, and Warner. 14.

In the affirmative 71.
In the negative 14
85.

So the resolution was adopted.

Mr Bobo appeared within the bar of the House and answered to his name.

On motion of Mr Dickinson Mr Hudson was invited to a seat on the floor of the House

On motion of Mr Murphy the papers in contested Election in Pulaski County were referred to the Committee on Elections.

Mr Forbush moved that a Committee of three be appointed Consisting of Messrs Hanly, Fishback and Stanley to report the proper Committees to which shall be referred the different subject matters embraced in the Governors Message.

Which was agreed to

On motion of Mr Barry the courtesies of the House were extended to Dr Rector.

H.J.R No 5 Mr Williams introduced H.J.R No 5. "Abolishing the Constitution"

Which was read the first time

H.J.R No 6. Mr Morris of Stone introduced H.J.R No 6. "Joint Resolution to amend the Constitution of the State of Arkansas.

Which was read the first time

A Message from the Senate by its Assistant Secretary Mr Fatherly was announced and was read as follows

"Senate Chamber
January 20th 1879

Mr Speaker,

I am instructed by the Senate to inform your honorable body that the Senate has adopted the Joint Rules of the Senate and House of Representatives as reported by the Joint Committee

W. A. Fatherly Asst. Secty

Also the following

Senate Chamber
January 20th 1879

Mr Speaker,

I am instructed by the Senate to inform your honorable body of the passage of Senate Concurrent Resolution No 1. and herewith respectfully transmit the same for your further consideration.

Lou. D. Krotochman
Secretary

H.B. No 38 | Mr McCracken introduced H.B. No 38 "A Bill to authorize the Judge of the County Court of Pope County the hold a Special Term"

which was read the first time and on motion of Mr McCracken the rules were suspended, the bill was a second time and made Special order to meet morning for the first thing after reading the Journal

H.B. No 39 | Mr Barry introduced H.B. No 39. "An act to amend Section 1. of an act entitled "An act to provide for the improving the Streets and alleys and public grounds of Cities of the Second Class in this State

Which was read the first time

H.B. No 40 | Mr Conway introduced H.B. No 40 "A Bill to be "For an act to be entitled "an act to donate certain lands to the Washington and Hope Railway Company

Which was read the first time

Mr Conway moved that the rules be suspended and the Bill read a second time

The House by a vote of 29 ayes against 32 nays refused to suspend the rules

H.B. No 41 | Mr Stubbs introduced H.B. No 41. "An act to amend the Revenue Law"

Which was read the first time

H.B. No 42 | Mr. Richardson introduced H.B. No 42". An act to require bond for costs in cases wherein the plaintiff, petitioner or relator is non-resident, unsettled or has not property, out of which cost can be collected by process of Law, and to regulate the practice of the courts as to such bonds"...

Which was read the first time

H.B. No 43 | Mr Charles introduced H.B. No 43 "An act to regulate the practice of Medicine in the State of Arkansas"

Which was read the first time

H.B. No 44 | Mr. Gillam introduced H.B. No 44 "An act to authorize artizans, Mechanics and others to sell articles of personal property for their charges for the construction or repair thereof"

which was read the first time

H.B.No 45 Mr Dickinson introduced H.B. No 45. "An act to be entitled 'An act to form a Compact with the State of Louisiana, subject to the approval of the United States Congress, for the purposes of forming a Levee District, situated partly in Louisiana and partly in Arkansas; to define duration of Compact, and how to be changed; to define the boundaries of the district, and the character of the lands subject to taxation for Levee purposes; to name the District; to appoint a Board of Control to be called a Levee Board; to define their organization, powers, duties and prohibitions; to provide a revenue for Levee purposes; to donate certain Lands for Levee purposes; to provide an Engineering Department; to provide for the care and police of Levees in the District; and to define and punish certain offenses against the provisions of this act; and to repeal all conflicting laws, and put this act in force; and for other purposes"

Which was read the first time

Mr Dickinson moved that the rules be suspended and the bill read a second time

Which motion agreed to.

H.B.No 46 Mr Cruikmore introduced H.B. No 46 "An act to relieve the Tax payers of the State and to suspend the enforcement of the collection of Taxes for the year 1876 until after the 20th day of August 1879"

Which was read the first time

H.B.No 47 Mr McCracken introduced H.B. No 47 "A Bill for an act to be entitled 'An act to amend section five of an act entitled an act to Establish Fees' approved Feby 25. 1875

Which was read the first time

H.B.No 48 Mr Lee of Morgan introduces H.B. No 48 a Bill to be entitled "An act to regulate the practice of Medicine"

Which was read the first time

On motion of Mr Hunley. Miss Hunley, Baum and Shultz were invited to seats on the floor of the House and

On further motion of Mr Moore Judge Davidson

was extended the floor of the House

On motion of Mr Cunningham Mr Walker was invited to a seat on the floor of the House

H B No 49 Mr Cunningham introduced H.B. No 49. A Bill for an act to be entitled "an act to make it Larceny for an Executor, Administrator or Guardian to Embezzle the Effects of his Testator, Intestate or Ward"

Which was read the first time

H B No. 50 Mr Annis introduced H.B. No 50. "An act to amend an act entitled "An act to establish an Insurance beaureau"

Which was read the first time

H B No. 51 Mr Mannix introduced H.B. No 51. An act to be Entitled an act to amend Section five (5) of an act to amend Section four (4) Seven (7) Nine (9) Eleven (11) Twelve (12) Thirteen (13) fifteen (15) Nineteen (19) Twenty six (26) Twenty nine (29) Thirty (30) Thirty one (31) Thirty two (32) and Thirty six (36) of An act entitled an act to establish fees" approved February 28th One Thousand Eight hundred and Seventy four (1870)

Which was read the first time

H B No. 52 Mr Hanley introduced H.B. No 52 "An act to amend Section 4696 of Comtts Digest and to repeal all acts in Conflict with this act"

Which was read first time

Mr Hanley moved that the rules be suspended and the Bill read a second time

A Division of the House being called for and ordered only 33 members voting in the affirmative; not two thirds

The motion was lost

H.B. No 53 Mr Hanley introduced H.B. No 53 A Bill for an act to amend an act Entitled "an act for the incorporation, organization and government of Municipal Corporations" approved March 9th 1875.

Which was read the first time

H.B. No 54 Mr Wright introduced H.B. No 54 a Bill for

an act to be entitled "an act to amend Sect. 5321. of Gantts Digest
Which was read the first time

H.B.No.55 Mr Mills of Conway introduced H.B. No 55. "An act to amend Section (89) Thirty nine of an act to maintain a system of free Com. mon Schools for the State of Arkansas and to pro. vide for the Election of School Directors
Which was read the first time

On motion of Mr Barry Mr Crosby was invited to a Seat on the floor of the House

On motion of Mr Dale the Courtesies of the House were Extended to Mr Cothan

Mr Moore moved that all gentlemen of the Press be invited to Seats upon the floor of the House, which was agreed to

H.B.No56 Mr Barrett introduced H.B. No 56 An act to provide for the support and maintainence of the Arkansas Deaf Mute Institute
Which was read the first time

H.B.No57 Mr Dickinson introduced H.B. No 57 A bill to be entitled "An act to prevent the Taxing Rivers Traders" for the privilege of selling Corn, Flour, Meal, Hay, Potatoes, Onions, Apples, Meats, Beans, Peas, Bran, the products of this or any other State.
Which was read the first time

H.B.No58 Mr Mayfield introduced H.B. No 58. An act to amend an act Entitled "An act providing for change of venue in Criminal cases before Justices Courts," Approved No 10. 1875
Which was read the first time

H.B.No59 Mr Lovendino introduced H.B. No 59. An act to be entitled "an act to amend Section Eighteen of an act entitled "An act for the incorporation, organization and government of municipal corporations" Approved March 9th 1875.
Which was read the first time

H B No. 60 — Mr Bobo introduced H. B. No 60, A bill for an act to be Entitled An act Concerning Counties Which was read the first time.

S. C. R. No 1. — S. C. R. No. 1. appointing Joint Committee to report to the General Assembly in Joint Session "Constitutional Amendment." Was taken up and read the first time

Mr Dawsons of Sharp moved that the rules be dis, pended for the purpose of offering a resolution instructing the Committee on Education to Enquire as to how many hours constitute a school day

There being no objection

The rules were suspended

and the Resolution is read for corr,

Resolved

That the Committee on Education be requested to take into Consideration the propriety and expediency of so amending the Common School law of the State as to define by law the number of hours required to Constitute a school day, for the government of the teachers in the public schools of the State

Which Resolution was adopted

The Speaker announced that Bills on second reading being in order

The Clerk read

H J R No 1. — H. J. R. No. 1. the second time

Mr Pitchback moved that it be engrossed and made Special order for to morrow morning at half past ten Oclock

Which motion was adopted.

H J R No 2 — H J R No 2 was read a second time.

On motion of Mr McConnell the Bill was referred to the Committee on the Judiciary.

H J R No 3 — H J R No 3 was placed upon its second reading

Mr Moore moved that it be referred to the Committee on the Judiciary

Mr Stubbs moved to amend by referring it to the Committee on Retrenchment

Which was adopted.

H B No 1. H. B. No 1. was read a second time

Mr Barnett moved that it be engrossed and made Special order for to mor, row morning at 11. Oclock.

Mr Slippin moved to amend by referring it to the Committee on Public Buildings

Which was adopted

H B No. 2. H.B. No 2 was read a second time

Mr Jarbush moved that it lay on the table.

Mr Stubbs moved to take a recess to two oclock P.M.

Division being called for and the House by a vote of 44 ayes to 22 nays at 12 Oclock Sharp took a recess to 2 Oclock P.M.

After Recess at 2. P M

The Clerk called the roll and the following members answered to their names Messrs. Atchison, Askew, Barry, Black of Bond, Black of Randolph, Blackwood, Braly, Brinkley, Britt, Brown of Lee, Brown of White, Burris, Curtis, Cluck, Cruikshank, Davidson of Sharp, Davidson of Izard, Dickinson, Fishback, Slippin, Jarbush, Gilliam, Greening, Hanly, Hare, Harrison, Holder, Holifield, Hudson, Jameson, Jordan, Joyner, Keith, Kemp, King, Lee of Howard, Lee of Morton, Lindermilk, Love, Mack, Maynard, Martin, McConnell, McCracken, McMurtry, Minor of Clark, Minor of Conway, Moore, Morris of Carroll, Morris of Stone, Payne, Priddy, Quarles, Riddick, Rodgers, Simmons, Simmott, Stanley, Stubbs, Tate, Taylor, Thomas, Trimm, Walker of Washington, Warren, Washburn, Weir, Williams and Mr Speaker

a quorum present

Bills on second reading being in order

H.B. No 2 was taken up and read second time

Mr Dunn moved that it be referred to Committee on Retrenchment

Mr Fishback moved to

amend by referring it to the Committee on Ways & Means

Mr Davidson of Thurs offered as a further amendment that it be referred to the Committee on the Judiciary

A division being called for and the House by a vote of 28 ayes to 18 nays adopted the amendment of Mr Davidson

Mess Walker of Columbia, Tyson, Richardson, Owen, Hendley and Felton answered to their names.

H. B. No 5 H.B. No 5 was taken up and read a second time

Mr Stubbs moved to amend by striking out that portion of the bill referring to Congressional Elections

which was agreed to

Mr Gilpin moved that the Bill be referred to the Committee on Elections.

Which was adopted.

By unanimous consent, leave was granted Mr Hanly from Special Committee appointed to report the proper Committees to which the subject matter of the Governors Message should be referred to

Mr Hanly reports as follows

"Resolved.

That so much of the Governors Message as relates to the following subjects, respectively be referred to the Standing Committee, as follows

So much as refers to State House grounds be referred

To the Committee on public Buildings.

So much as refers to State Library

To the Committee on Education

So much as refers to the Election Law

To the Committee on Elections

So much as refers to enrollment of Acts

To the Committee on Enrollment

So much as refers to the issuing of Commissions

To the Committee on the Judiciary

So much as refers to Finance, Bonded debt & State Scrip

To the Committee on Ways and Means

So much as refers to amendments of Revenue Law

To the Committee on Ways & Means

So much as refers to the publication of Auditors Vouchers
To the Committee on Ways and Means
So much as refers to Forfeited Lands
To the Committee on State Lands
So much as refers to Public Contracts
To the Committee on public Expenditures
So much as refers to the Attorney Generals report
To the Committee on the Judiciary
So much as refers to Land cases in Pulaski Chancery Court
To the Committee on the Judiciary
So much as refers to Real Estate Bank Lands and Mortgages
To the Committee on the Judiciary
So much as refers to Larceny
To the Committee on the Judiciary
So much as refers to Memphis and Little Rock Railroad Company
To the Committee on Railroads
So much as refers to the Lands interests of the State
To the Committee of Public Lands
So much as refers to School Lands
To the Committee on Education
So much as refers to other Lands
To the Committee on Public Lands.
So much as refers to Immigrating
To the Committee on Immigration
So much as refers to Education
To the Committee on Education
So much as refers to Charitable Institutions
To the Committee on Charitable Institutions
So much as refers to Militia
To the Committee on Militia
So much as refers to the Penitentiary
To the Committee on the Penitentiary
So much as refers to Public Boards
To the Committee on Retrenchment
So much as refers to Bonds of County officers
To the Committee on the Judiciary
So much as refers to Railroads
To the Committee on Railroads
So much as refers to the Centinnial
To the committee on Public Expenditures
The question being on the adoption of the Report
Mr Berry moved that the report be adopted
Which was agreed to
Mr Fraser answered to his name
H.B. No 44 H.B. No 44 was taken up and read a second time

Mr Walker moved that it be made Special order for to morrow morning at 10 30' o'clock

Mr McConnell moved to amend by referring it to the Committee on the Judiciary

Division being called for and the House by a vote of 35 ayes to 25 noes adopted the Amendment.

H.B. No 5. H.B. No 5. was taken up and read a second time

On motion of Mr Jurlush it was referred to the Committee on the Judiciary

H.B. No. 6 H.B. No 6 was read a second time

Mr Maynard moved that it be referred to a Special Committee of five consisting of Miss Yates, Davidson, Jurlush, Stubbs and Britt

Mr McConnell moved to amend by referring it to the Committee on the Judiciary

Mr Stubbs moved to further amend by referring it to the Committee on the Penitentiary

Which was not agreed to

The question recurred on the motion of Mr McConnell

The question was put and lost.

The question next being on the motion of Mr Maynard to refer to Committee &c

Mr Walker of Columbia moved that it be referred to a Committee appointed by the Chair

Which was agreed to

H.B. No 7. H.B No7 was taken up and read a second time

Mr Davidson

of Sharp moved to amend by striking out the word three and insert in lieu thereof the word thirty.

Mr Conway

moved that the bill lay on the table

Which was agreed to

H.B. No 8 H.B. No 8. was read a second time

On motion of Mr Conray it was referred to the Committee on the Judiciary

N.B. No 9. N.B. No. 9. was read a second time

On motion of Mr Walker of Columbia the Bill was referred to the Committee on Circuit & Justices Court.

N.B. No 10. N.B. No 10. was read second time

Mr Thomas moved that 100 copies be printed and that the Bill lie on the table for the present which was agreed to

N.B. No 11. N.B. No 11 was read a second time

On Motion of Mr McConnell the Bill was referred to the Committee on the Judiciary

N.B. No 12. N.B. No 12 was read a second time

Mr Fraser moved that it be referred to the Committee on the Judiciary which was not agreed to

Mr McConnell moved to make it special order on Wednesday morning at 11. Oclock

Mr Stanley moved to amend by referring it to the Committee on the Judiciary which was not agreed to

Mr Stanley gave notice that he will move to reconsider the vote by which this motion for reference to the Committee on the Judiciary was lost

and by unanimous consent moved for a consideration of his motion

And the House decided in the affirmative

The question being on the motion of Mr Stanley to refer to Committee on the Judiciary

Mr Cunningham moved that it be referred to the Committee on the Judiciary which was agreed to.

N.B. No 13. N.B. No 13 was read a 2d time

Mr Conray moves that it be referred to the Committee on the Judiciary.

Mr Brady moved to amend by striking out Judiciary and inserting the words "on Circuit and Justices Court.

Mr Durbeck moved to further amend by referring it to the Committee on Internal Improvements

which was not agreed to

The question occurred on the motion of Mr Brady

which was adopted.

H.B. No 14 — H.B. No 14. was read a second time pending which

Mr Murphy answered to his name

Mr Stubbs moved to amend Bill No 14. by inserting "five" instead of two dollars

Mr Jameson moved a further amendment by adding the words "if unavoidably detained

Mr Dishback moved to refer it to the Committee on the Judiciary

Mr Stubbs rose to a point of order and the Chair decided that a motion to Commit has precedent over a motion to amend

The question occurring on the motion of Mr Dishback to refer the bill to the Committee on the Judiciary

Mr Barry moved to amend by referring it to the Committee on Circuit and Justices Courts

which was agreed to

H.B. No 15 — H.B. No. 15 was read a second time

Mr Davidson of Dyand moved that the bill lie on the table and that 100 copies be printed

which was not agreed to

Mr Stubbs moved that it be referred to the Committee on the Judiciary

which was agreed to

H.B. No. 16 — H.B. No 16 was read a second time

Mr Dickinson moved that it be referred to the Committee on Counties and County lines

which was agreed to.

H.B. No. 17. H.B. No 17 was read a second time
On Motion of Mr Stanley it
was referred to the Committee on the Judiciary

H.B. No 18. H.B. No 18 was read a second time
Mr Davidson of Sharp
moved that the bill be amended so as to
provide for the holding of Circuit Courts in the County
of Sharp on the second Monday of August
and February in each year
Which Amendment was adopted

Mr Stubbs moved that it be referred to the
Committee on Circuit & Justices Courts
which was agreed to

Mr Brito moved that the House adjourn
which was rejected.

H.B. No. 19 H.B. No 19 was read a second time
On Motion of Mr Walker of
Columbia the bill was referred to the Committee
on Circuit and Justices Courts

Mr Archer moved that Col Embree in-
vite to a seat on the floor of the House

H.B. No 20. H.B. No 20 was read a second time

Mr Cantu moved that it be referred to
the Committee on County and Probate Courts
Which was agreed to

H.B. No 21 H.B. No 21 was read a second time

On motion of Mr Stubbs it was referred
to the Committee on the Judiciary

H.B. No 22 H.B. No 22 was read a second time

Mr Stubbs moved that the bill be indefinitely
postponed

Mr McConnell moved that the word "grower" be
stricken wherever it occurs in the Bill
Mr Briley moved that the

Bill be referred to the Committee on Agriculture
which was agreed to

H.B. No 23 H.B. No 26 was read a Second time.
On motion of
Mr Dishbuck it was made a Special order
for Wednesday at 11. Oclock A.M. the 22nd inst

Mr Shipp moved to adjourn
which was agreed to
The House at 14 minutes of 4 Oclock P.M.
adjourned until to morrow morning

John G. Mallard
Clerk

J. S. Reardon
Speaker

House of Representatives
Little Rock Arkansas.
Friday January 21st 1879.

The House met pursuant to adjournment, at 9:30 O'clock A.M.

The Clerk called the roll and the following members answered to their names: Messrs. Archer, Askew, Barnett, Barry, Black (Boone) Black, (Randolph) Blackwood, Bobo, Braly, Brewer, Brinkley, Britt, Brown, (Lee) Brown (White) Bumpass, Burnes, Carter, Conway, Creekmore, Cunningham, Davidson (Sharp) Davidson (Izard) Dawson, Denby, Dillon, Fishback, Flippin, Fraser, Furbush, Gillam, Greening, Hare Harrison, Hobson, Holden, Holifield, Holmes Hudson, Jameson, Jordan, Joyner, Keith, Kemp, King, Lee (Howard) Lee (Newton) Lowdermilk, Lowe, Mack, Martin, McConnell, McCracken McMurtrey, Miller (Clark) Miller (Conway) Minor Morris, (Carroll) Morris (Stone) Owen, Payne, Priddy, Rankes, Riddick, Richardson, Simmons Sinnott, Stanley, Stubbs, Tate, Taylor, Thomas Turner, Tyson, Walker, (Columbia) Walker, (Washington) Warner, Washburn, Weir, Williams, Wright and Mr Speaker.

A quorum present.

Prayer by the Chaplain.

The Journal of the preceding day was then read and there being no objections thereto, was approved, and signed by the Speaker and the Clerk.

Messrs. Murphy, Mucks, Roden, Dickinson and Pindall appeared within the Bar of the House and answered to their names.

Mr Pindall was excused for being absent on yesterday, on account of illness.

Mr Moore appeared within the Bar of the House and answered to his name.

On motion of Mr Riddick, Mr Brown

of the "St Louis Commercial Gazette" was invited to a seat at the Reporters Desk upon the floor of the House.

On motion of Mr McConnell,
Messrs Thomason, Duval and Mansfield were invited to seats upon the floor of the House.

S.O. 443. No 38 The special order being S.O. No 38, was then taken up.
And,
On motion of Mr Tilghman,
Was read the third time and placed upon its final passage,

The question then being,
Shall the Bill pass?

The Clerk called the roll and the following members voted in the affirmative: Messr: Archer, Askew, Barnett, Autry, Black of Boone, Black of Randolph, Blackwood, Bobo, Brady, Brewer Britt, Brown of Lee, Brown of White, Burnside Burrus, Carter, Cluck, Conway, Creekmore, Cunningham, Davidson (Sharp) Davidson (Izard) Dawson, Denby, Dickinson, Fellnor, Fishback Tilghman, Fraser, Furbush, Gillam, Greening, Hardy, Hare, Harrison, Hobson, Holder, Holifield, Holmes, Jameson, Jordan, Joyner, Keith Kemp, King, Lee of Howard, Lee of Newton, Londermilk, Lowe, Mack, Martin, McConnell McCracken, McMurtrey, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Owen, Payne, Pindall, Priddy Quarles, Riddick, Richardson, Roden, Simmons Sinnott, Stanley, Stubbs, Tate, Taylor, Thomas Turner, Tyson, Walker of Columbia, Walker of Washington, Warner, Washburn, Weir, Williams Wright, and Mr Speaker. 86.

In the affirmative	86.
In the negative	0
Absent and not voting	7
	93.

So the Bill was passed.

On motion of Mr Gladson,
Judge Bocage and Col Harris were

invited to seats upon the floor of the House.

On motion of Mr Trulock,
Mr Foreman was invited to a seat upon the floor of the House.

The Speaker announced the following as the Committee on Mr Fishback's Resolution. Messrs. Fishback, Burke, Wright, Weir, Stanley, Simmons Morris of Stone, McCracken, and Trulock. 9.

Committee on Insane Asylum.
Messrs. Barnett, Murphy, Brady, Jamieson, McConnell Stubbs and Archer. 7.

Under the regular order of business,
Mr Murphy offered a Memorial from the "Arkansas Immigration Society" which was read by the Clerk and referred to the Committee on Immigration.

Mr Dawson gave notice that he would on monday next introduce a bill to be entitled "an act to define sheriffs duties in the foreclosure of Mortgages and for other purposes."

H.J.R. No 7 Mr Fraser introduced H.J.R. No 7. "Joint Resolution providing for the adjournment of the General Assembly"

Which was read the first time.

Mr Quarles offered the following Resolution:
"Whereas, popular education is the cheapest defense of nations, and lies at the basis of our prosperity as a state, and

Whereas, the present is the most important juncture in the history of our Common School system, and all legislation affecting so grave a question, should be the result of careful examination and mature deliberation, therefore

Resolved, That the State Superintendent of Public Instruction be required to furnish this House at his earliest convenience, with such facts as may be in his possession, bearing on State and County supervision."

Which Resolution was adopted.

The next order of business being the introduction of Bills

H.B. No. 61. Mr Clark introduced H.B. No. 61. 'An act to be entitled "An act to amend. Section 8. of an act to establish fees" approved December 16th 1875

which was read the first time

H.B. No 62. Mr Conway introduced H.B. No 62. "An act to allow Clerks, Sheriffs and Judges of the Circuit Courts of this State"

which was read the first time

H.B. No 63 Mr Brown of White introduced H.B No. 63 A Bill to levy State Taxes, to create a sinking fund and establish a financial system of the State"

Which was read the first time

H.B. No 64 Mr Cruikmore introduced H.B No. 64 A Bill to be entitled "An act to provide for and regulate the appointment of Prosecuting Attorneys before Justices of the Peace in Criminal cases less than a felony and for other purposes"

Which was read the first time

H.B. No 65. Mr Landy introduced H.B. No. 65. "A bill to be entitled an act to authorize deputies to be witnesses in criminal cases"

which was read the first time

H.B No. 66. Mr Cunningham introduced H.B. No 66. "A Bill to be entitled "An act to amend Section 4401 of Gantts Digest."

Which was read the first time

Messrs Maynard and Burke answered to their names

S.C.H.R No 1. Mr Bailey from the Committee on Engrossed Bills reported H.C.R. No 1. correctly Engrossed

It being the Special order of 10½ o'clock A.M.

Mr Fishback asked that the same be read a third time and placed on its final passage

On motion of Mr. Stubbs the resolution was read for information of the House

Mr Furbush

moved that it be referred to the Committee of the whole House

which motion was rejected.

Mr Thomas moved that the resolution be referred to the Committee on the Judiciary

upon which

Mr Dishback calls for the ays and nays, and thereupon the Clerk calls the roll and the following members rated in the affirmative Messrs. Askew, Barnett, Barton, Barry, Black of Randolph, Blackwood, Bobo, Braly, Brewer, Brinkley, Brown of Lee, Burke, Burns, Conway, Cunningham, Davidson of Sharp, Davidson of Izard, Dewey, Dickinson, Dillon, Greening, Hanly, Hare, Hobson, Jordan, Joyner, Lee of Howard, Lee of Newton Lowdermilk, Mack, Martin Minor, Morris of Stone, Murphy, Nisbell, Owens, Aldrich, Simmons, Sinnott, Stanley, Stubbs, Sayler, Thomas, Tyson, Wade of Columbia, Warren, Wright and Mr Speaker 48

The following named members rated in the negative Miss Archer, Black of Boone, Britt, Brown of Lee, Crumpler, Curtis, Cloud, Cruemore, Dettmer, Dishbach, Fraser, Furbush, Harrison, Hodges, Holdfield, Holmes, Hudson, Jameson, Keith, Knipp, King, Lowe, Maxwell, McConnell, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Moore, Morris of Carroll, Orrin, Payne, Priddy, Richardson, Rodgers, Sale, Turner, Wade of Washington, Welborn, Weir, Williams

In the affirmative 48
In the Negative 41
89

So the motion to refer to the Committee on the Judiciary was adopted

Mr Davidson of Sharp moved that the Committee report back at as early a time as their convenience will allow

which was agreed to.

S.O. H.B. No 23 H.B. No 23 was the next Special order for 11. O'clock A.M.

The Speaker calls Mr Dishback to the Chair

Mr Burke moved that the Bill be read

a third time and place on its final passage
which was agreed to

The Bill was then read a third time and
The question being shall the Bill pass
The Clerk calls the roll and the following
members voted in the affirmative Mess
Archer, Asher, Barnes, Black of Randolph, Black,
Wood, Brewer, Brinkley, Corts, Bumpass,
Burke, Burns, Carter, Church, Conroy, Crab,
More, Cunningham, Davidson of Chat,
Davidson of Iredell, Harrison, Henley, Dickin-
son, Pettigrew, Pinkston, Griffin, Furbush, Gil-
lam, Greening, Hanley, Hare, Harrison,
Hobgood, Holden, Holmes, Hudson, Jamieson,
Jordan, Kenly, King, Lee of Warren, Londonnill,
Love, Mack, Maynard, Martin, McConnell,
McGinnis, Miller of Clark, Miller of Onslow,
Morris of Stanly, Owen, Payne, Pindall, Pridy,
Quarles, Riddick, Richardson, Rodman, Simmons,
Pinnatt, Stubbs, Tate, Taylor, Turner, Tyson,
Waller of Columbia, Walton of Washington,
Washburn, Weir, Wright and Mr Speaker 70.

The following named members voted in
the negative Mess Barry, Black of Brunswick, Brady, Brown of White, Fraser, Joyner,
Okrick, Lee of Martin, McCracken, Minor,
Moore, Morris of Carroll, Stanley, Thomas,
Warren and Williams 17

In the affirmative 70
In the negative 17
Absent and not voting 6
93 So the Bill
passed.

On motion of Mr Holifield Mess Perkins
and O'Neil were invited to seats on the floor
of the House

On motion of Mr Stubbs the House at
11 40 Oclock A.M. took a recess to 12 Oclock M.

After Recess
at 12 M. Sharp.

The clerk called the roll and the following members answered to their names Messrs. Archer, Barnett, Barton, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Boaz, Brevard, Brinkley, Britt, Brown of Lee, Brown of White, Brumbaugh, Brooks, Burnes, Curtis, Cheek, Conrad, Crutchfield, Cummings, Davis of Hempstead, Davis of Izard, Dawson, Dickinson, Deltrop, Fishback, Hopkins, Fraser, Furbush, Greening, Hanley, Hare, Harrison, Hoben, Holden, Horsefield, Holmes, Hudson, Jameson, Jordan, Jorgan, Keith, Kemp, King, Lee of Conway, Lee of Norton, Lowdermilk, Lowe, Mack, Maynard, Martin, McDermott, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Owen, Payne, Pindall, Priddy, Rogers, Riddick, Richardson, Rodgers, Simmons, Sinnett, Stanley, Stubbs, Tate, Taylor, Thomas, Trimble, Tyson, Walton of Columbia, Walton of Washington, Warner, Washburn, Weir, Williams, Wright and Mr Speaker 90

A quorum of the House announced present.

The Speaker announced that the House of Brethren having arrived in joint convention for the purpose of electing a United States Senator.

The Speaker further announced that nominations for United States Senator were in order

Whereupon

Mr Hudson

Nominated Hon M.L. Bell of Pulaski Co.

Mr McCracken

Nominated Hon. A. W. Johnson of Pulaski Co.

Mr Simpson

Nominated Hon J. L. Minor of Washington Co.

Mr Owen

Nominated Hon Elisha Baxter of Independence Co.

Mr Brooks

Nominated Hon John D. Jones of Phillips County

Mr Edwards by authority
withdrew the name of Hon John D. Jones
Mr Gillam nominated Hon W. A. Rice of Pulaski
Mr Kenney
nominated Hon A. N. Bishop of Pulaski County.

There being no further nominations

The Clerk was ordered to call the roll
The following members rated for
Mr Poe

Messrs. Barker, Barry, Barrow, Dickinson,
Holden, Hudson, Lewis, Martin, McMurtry,
Miller of Clark, Payne, Quarles, Simmons,
Taylor, Weir and Wright 16.

The following named members rated for
Mr Johnson

Messrs. Archer, Barnett, Blackwood, Brewer,
Brinkley, Britt, Curtis, Conway, Faircloth,
Gillam, Greening, Hanly, Hare, Hobson,
Kemp, Lee of Howard, McConnell, Miller
of Conway, Murphy, Richardson,
Simmons, Thomas, Wickersham, and Mr Speaker 24.

The following named members rated for
Mr Walker

Messrs Black of Boone, Bobo, Bocely, Brown
of Lee, Brown of White, Simpson, Burns,
Church, Davidson of Izard, Felton, Flippin,
Galloway, Holmes, Jordan, Keith, King,
Lee of Marion, Lincoln, Morris, Morris
of Conway, Norris of Stone, Overall,
Priddy, Rodgers, Stubbs, Turner, Walker
of Washington and Mr Williams 28

The following named members rated
for Mr Baxter Messrs. Black of Randolph,
Burnett, Cunningham, Davidson of Sharp,
Garrison, Jamerson, Jones, Mack, Main,
Ordway, McCracken, Morris, Owen, Stanley, &
Tate 14.

Mr Kenney rates for Mr Bishop

Messrs Astin, Dyson, and Walker of Columbia

voted for Hon George S. Smoot of Nevada Co.
Messrs Creech, Fraser, Furnish, Riddick and
Murray voted for Hon Jno. D. Jones of Phillips.
Mr Gelaan voted for Hon M.L. Rice of Calaveras
but changed his vote from Rice to Johnson
Mr Dunlap withdrew the name of Mr Bishop

Recapitulation of the vote
just had

Hon M.L. Bell received	16 votes
Hon W.W. Johnson received	24 votes.
Hon J. Mc. Mallue received	28 votes
Hon Elisha Buxton received	14 votes
Hon W.W. Bishop received	1 vote
Hon George S. Smoot received	3. votes
Hon Jno D. Jones received	5. votes
	91 votes

No one having received a majority of all
the votes cast

There was no Election
And On motion of Mr Borron of White
the House at 1½ o'clock P.M. adjourned
to 9 o'Clock A.M. on to morrow

J. S. Bearden
Speaker

John G. Holland
Clerk

House of Representatives

Little Rock, Arkansas
Wednesday January 22d 1879

The House met pursuant to adjournment at 9½ Oclock A. M.

The Clerk called the roll and the following members answered to their names Messrs. Archer, Askew, Barnett, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Braly, Brewer, Brindley, Britt, Brown of Lee, Brown of White, Brumpass, Burns, Curtis, Cluck, Conway, Creekmore, Cunningham, Davidson of Sharp, Davidson of Izard, Deener, Dickinson, Feltus, Fishback, Flippin, Fraser, Gilum, Greening, Hanly, Hare, Hobson, Holden, Holifield, Holmes, Hudson, Jamison, Jordan, Joyner, Keith, Crump, King, Lee of Howard, Lee of Perry, Londermilk, Love, Mack, Maynard, Martin, McCammon, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Miner, Moore, Morris of Carroll, Morris of Stone, Oran, Payne, Priddy, Quarles, Riddick, Richardson, Roden, Simmons, Sinnott, Smiley, Stubbs, Tate, Taylor, Thomas, Timm, Tyson, Walker of Washington, Ward, Weaver, Williams, Wright and Mr Speaker a quorum present.

On motion of Mr Askew Mr Warren of Columbia was excused being engaged in the removal of the remains of Gen McCarver dec.

Mr Harrison was excused on motion of Mr Maynard on account of illness

Prayer by the Chaplain Rev Mr. Dye

Mr Priddy appeared within the bar of the House and answered to his name also Mr Barton.

The Clerk read the proceedings of yesterday and the Journal was corrected by erasing the Motion of Mr Davidson of Sharp on H.J.R. No 1. after which the Journal as corrected was approved and signed by the Speaker and Clerk of the House

Mr Braly rose to a point of order, stating that

the Journal shows that he voted for reference of H.B. No 1. whereas he voted against such reference and the Journal was corrected further according.

The Speaker announced the following special committee of five upon House Bill No 6.
Messrs. Bates, Davidson of Sharp, Davidson of Izard, Greening and Walker of Columbia.

H.B. No 2 — Mr Hardy from the Committee on the Judiciary reported back House Bill No 2. with the recommendation that it be referred to the Committee on Retrenchment.
And,
On motion of Mr McConnell the bill was so referred.

H.B. No 4. — Mr Hardy from the Committee on the Judiciary also, reported back House Bill No 4. with the recommendation that the same be referred to the Committee on Ways and Means.

On motion of Mr Walker of Washington the bill was so referred.

H.B. No. 16. — Mr Tate, from the Committee on Counties and County Lines, reported back House Bill No 16. with the recommendation that the same pass.

Mr Davidson of Sharp, moved that the Report be received and adopted, and the bill placed upon its final passage.

Messrs Burke, Grady and Trulock, appeared within the Bar of the House and answered to their names.

Mr Grady, presented a Petition signed by citizens from the counties of Independence Jackson, Van Buren, and White, asking the creation of a new county.
Which was, on motion of Mr Grady, referred to the Committee on Counties and County Lines.

The question then being upon the passage of House Bill No 16.

Mr Date sent to the Clerks desk and had read the Notice, affidavit and other papers in support of the Bill

Mr Davidson of Thanet moved that the rules be suspended and the Bill be read a third time and placed upon its final passage

There being no objection the rules were suspended, the Bill was read a third time and placed upon its final passage

The question being shall the Bill pass.

The Clerk called the roll and the following named members voted in the affirmative Messrs Archer, Asher Barnett, Barlow, Barrs, Black of Brown, Black of Rensselaer, Bochroad, Bobo, Braly, Brewer, Brinkley, Burch, Burnham, Burns, Curtis, Clark, Conway, Cook, Cremore, Cunningham, Davidson of Knox, Davidson of Lee, Denby, Dickinson, Felton, Fishback, Fitzpatrick, Fraser, Furbush, Gillam, Greening, Hanly, Harris, Hobson, Holden, Holifield, Johnson, Judson, Jamison, Jordan, Joynes, Keith, Keogh, Knox, Lee of Howard, Lee of Overton, Lovelace, Love, Mack, Maynard, Martin, McCormick, McCracken, McMurtrey, Mills of Clark, Mills of Conway, Minor, Morris of Carroll, Orrell, Quarles, Quinn, Quinn, Quinn, Ridley, Quarles, Riddick, Richardson, Rodgers, Simmons, Sinnott, Stanley, Sweet, Tate, Taylor, Thomas, Trimble, Tyson, Walker of Washington, Wann, Washburn, Weir, Williams, Wright and Mr Speaker 83.

The following named members voted in the negative Messrs. Brown of White and Morris of Stone

In the affirmative 83
~~In the negative~~ 2
Absent and not voting 8
93 So the Bill passed

The Sergeant at Arms announced a message from the Senate

Whereupon Mr Fatherly the assistant Secretary of the Senate came and delivered as follows:

Senate Chamber
January 22d 1879.

Mr Speaker; I am instructed by the

S.B. No 5

Seeds to inform your Honorable body of the pas-
sage of S. B. No 5. "An act to change time of hold-
ing Courts in the Sixth Judicial Circuit;
S.B. No. 11 Also S. B. No 11. An act to amend Section 4644
Gantts Digest also

S. J. R. No 1. Relating to
S. J. R. No 1. instructing our Senators and Representatives
in Congress to vote for a free and unlimited Coinage of Silver and therefore
Respectfully transmit the same for your
favorable Consideration

Lon D. Kretschmar
Secretary.

On motion of Mr Neelly of Clark Mr Flanigan
was invited to occupy the floor of the House

Mr Simms from the Committee on the Judiciary
submitted the following Report

Mr Speaker

The Committee on Judiciary have had under
S.B. No. 5. Consideration S.B. No 5. Entitled "An act to
repeal an act amending Section Twelve
hundred and fifty seven of Gantts Digest
approved January the Twenty third Eighteen
hundred and seventy five and to revive and
reviving of Gantts Digest" and have directed
by the Committee to report said Bill back to
the House with the recommendation that
the same do not pass

Thereupon was received

Which Report of Chair from the Committee on
Counties and Probate Courts submitting the fol-
lowing Report

Mr Speaker.

Your Committee
on Counties and Probate Courts, having refer-
S.B. No. 20. red to it S.B. No 20 "A bill to fix the time for
holding the Probate Courts of Polk County,"
have had the same under consideration and
beg leave to report a substitute for the same
and recommend its passage.

Bill back to H.B. 20
H.B. No 69

The substitute for S.B. No 20 reported by
the Committee on Counties and Probate Courts be-
ing H.B. No. 69. "A bill for an act to amend
section one (1) of an act fixing the time for holding

the Courts of Probate in each County of this State and defining the Jurisdiction thereof" was read the first time. and

On motion of Mr Dale the rules were suspended and the bill read a second time

On motion of Mr Quinn of Sharp the bill was made a Special order for tomorrow morning at 11 O'clock

H.B. No 68. Mr Dickinson introduced H.B. No 68. "A bill to be entitled an act for the incorporation and organization of a Hospital for the insane" which was read the first time

Mr Slippen moved that the Clerk be directed to inform the Senate that the House would be ready to receive the Senate in joint assembly for the purpose of taking into consideration the Election of a United States Senator at 12 o'clock 2d.

Which motion was adopted.

H.B. No. 69. Mr Quinn introduced H.B. No 69. A bill to be entitled an act to amend an act entitled an act to reduce the Taxes, approved March 9th 1877."

Which was read the first time

H.B. No. 70 Mr Leonard Hynard introduced H.B. No 70. "An act to prescribe the time for holding the Circuit Courts in the Eighth Judicial Circuit"

Which was read the first time

H.B. No 23 On motion of Mr Stanley the Journal of Monday last was corrected so as to show that H.B No 23 was made Special order for 11. O'clock A.M. of the 21st inst.

H.B. No. 71 Mr King introduced H.B. 71 "A bill entitled an act to amend an act entitled an act to maintain a system of free Common Schools in the State of Arkansas" approved December 7th 1875

Which was read the first time

H.B. No 72 Mr Williams introduced H.B. No 72

"An act to repeal the act creating a Separate Court of Chancery Called the Pulaski Chancery Court"

Which was read the first time.

H-B No. 73 Mr McConnell introduced H.B. No 73 A bill to be Entitled "An act to regulate the mode of proposing and voting upon amendments to the Constitution of the State of Arkansas."

Which was read the first time

H.J.R. No 8 Mr McMurtrey introduced H.J.R. No 8. "Joint Resolution proposing an amendment of the Constitution of the State of Arkansas"

Which was read the first time

H.B No 74 Mr Richardson introduced H.B. No 74. An act to be Entitled An act to tax vendors of Calendar Clocks, and Lightning rods in this State.

Which was read the first time

H.B No 75 Mr McCracken introduced H.B. No 75. A bill to provide for the taking of the photographs, or impressions of Criminals as an aid to the keeping & apprehension of escaped fugitives"

Which was read the first time.

H.B No. 76 Mr Stubbs introduced H.B. No 76. A bill for "An act to regulate the sale of school lands and investigate the title to the same and for other purposes"

Which was read the first time

H.J.R. No 9 Mr Lee of Norton introduced H.J.R. No 9. "House Joint Resolution to Establish a permanent School fund"

Which was read the first time

H.B. No 77 Mr Archer introduced H.B. No 77. A bill for an act to amend Sec 1296 & 1297 of the Revised Statutes of Arkansas

Which was read the first time

On motion of Mr Brown the Committee of the House were excused to Dr Carter

H.B. No 78 Mr Marcan introduced H.B. No 78.

A bill to be entitled "An act to amend Section 3786. of Gantts Digest."

Which was read the first time

H.B. No 79 Mr Love introduced H.B. No 79. An act to amend Sec. 5056 & 5057. of Gantts Digest

Which was read the first time

H.B. No. 80. Mr Jamison introduced H.B. No 80 A bill to be Entitled An act to repeal and amend certain Sections of an act, Entitled an act Regulating mortgages on personal property." approved March 10th 1877

Which was read the first time.

Mr Williams moved that the House take a recess to 11 oc A. M. which was not agreed to.

H.B No. 81. Mr Rodes Introduced H.B. No 81. A bill to be entitled an act to provide for more fully advertising estrays."

Which was read the first time

H.B No. 82 Mr Black of Randolph introduced H.B. No 82. An act entitled "an act to amend Section One Thousand Sixty six ~~and~~ (1066) of Gantts Digest"

Which was read the first time

H.B No 83 Mr Durrett introduced H.B. No 83 An act entitled "an act to amend an act entitled "an act to amend Secs (4) (7) (9) (11) (12) (13) (16) 19 (26) (29) (30) (31) (32) and (36) of an act Entitled An act to establish Secs

Which was read the first time

H.B. No 84 Mr Cunningham introduced H.B. No 84. A bill to be Entitled An act to amend Section Seven (7) of an act Entitled "An act to Establish a law of Forcible entry and detainer and repealing Section 2932 to End of Section 2951 inclusive of Gantts. Digest" approved March 5th 1875

Which was read the first time

H.B. No. 85 Mr Minor introduced H.B. No 85.

A bill for an act to be entitled An act to repeal section Seventy five (75) of an act Entitled an act fixing the regular term for holding the County Courts of the State and for fixing the Salary for County Judges and the per diem pay of the Associate Justices in the several Counties of this State Approved February 6th 1875 Etc.

Pending the reading of the bill Mr Archer moved that the privilege of the floor be granted Col. Berry.

On motion of Mr Manly the House took a recess at 11:40 A. M. to 11:50

After Recess

The Sergeant at Arms announced the approach of the Senate.

The Senate preceded by its officers entered the Hall of the House of Representatives

Hon M. M. Riddick President of the Senate took the chair and explained that the object of the Joint assembly being for the purpose of ascertaining the vote cast for United States Senator on Yesterday.

The Secretary was directed to call the roll and the following Senators were found to be present, Senators Armistead, Bagley, Carlton, Chism, Crowell, Duncan, Gee, Gault, Gatewood, Hampton, Hanna, Harris, Hill, Jenkins, Kerr, Mitchell, Mobley, Pennington, Reid, Rutherford, Stanford, Terry, Thornton, Upton, Watkins, Watson, White, Williams, Wilson and Mr President 30.

A Quorum

The Clerk called the roll and the following members were found present Mess Archer, Barnes, Barbee, Berry, Black of Bond, Black of Randolph, Blackwood, Bobo, Bray, Brewer, Brinkley, Bruce, Brown of Lee, Brown of White, Bumpass, Burke, Burns, Carlee, Church, Conway, Cooley, Cunningham, Davidson of Throop, Davidson of Bard, Dawson, Dewey, Dickinson, Felton, Gilchrist, Shipp, Fraser, Furbush, Gillam, Groome, Hardy, Hart

Harrison, Hobson, Holden, Holifield, Holmes, Hudson, Jamison, Jordan, Joyner, Kent, Kemp, King, Lee of Howard, Lee of Morton, Lindsey, Lowe, Mack, Maynard, Martin, McConnell, McCracken, McCurtrey, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Carroll, Morris of Stone, Owen, Payne, Pursley, Priddy, Quarles, Riddick, Richardson, Rodgers, Symmons, Smith, Stanley, Stubbs, Tate, Taylor, Thomas, Turner, Tyson, Walker of Columbia, Walker of Washington, Warren, Washburn, Weir, Williams, Wright and Mr Speaker — a quorum present. The Secretary of the Senate and Clerk of the House read the Journals of yesterdays proceedings relating to the vote for U. S. Senator

The President announced the ratify yesterday as cast by the respective Houses to be as follows. as shown by the Journals

Nominees	In the Senate	In the House of Repr	Total
For Hon. M. L. Bell	6	16	22
" " D. W. Johnson	8	24	32
" " J. D. Ward	11	28	39.
" " Elisha Baxter	3	14	17.
" " A. W. Bishop		1	1
" " G. P. Smoote	1	3	4
" " J. D. Jones		5	5
" " M. L. Rice	1		1
	Total vote cast		121.

Necessary to a choice 62.

No one having received a majority of all the votes cast and there being no Election

The President directed that another ballot be Taken

and thereupon the Secretary of the Senate called the roll and the following Senators voted for Mr Walker, Senators, Armistead, Chism, Crowley, Duncan, Galemore, Hanna, Hill, Rutherford, Sexton, Watkins, Watson and Wilson 12.

The following named Senators voted for Mr Johnson Senators Carlton, Ferguson, Hampton, Harris, Kerr, Mitchell, Mulkey, and Terry, 8.

The following named Senators voted for Mr Bell. Senators Gantt, Pennington

Stanford, Thornton, White, Williams and Mr President 7.

Senator Jenkins rates for Mr Baxter 1.

Senator Boyd rates for Mr Rice 1.

Senator Reid rates for Mr Smoot 1.

The Clerk called the roll of the House and the following named members voted for Mr Walker Messrs. Black of Doone, Bobo, Braly, Brown of Mitt, Bruckner, Burns, Cluck, Coody, Davidson of Izard, Felther, Gilpin, Hatfield, Holmes, Jordan, Keith, King, Lee of Newton, Lindsmith, Morey, Morris of Carroll, Morris of Stone, Pinnell, Priddy, Riddick, Rodgers, Stanley, Stubbs, Swaim, Walker of Washington, Warren, and Mr Williams 21.

The following named members voted for Mr Johnson Messrs Archer, Barnett, Blackwood, Brewer, Brinkley, Britt, Carter, Conway, Dickcock, Gilliam, Greening, Hanly, Hare, Hobson, Kemp, Lee of Monroe, McComic, Miller of Conway, Richardson, Simmons, Thomas, Washburn and Mr Speaker. 23.

The following named members voted for Mr Beck Messrs. Barton, Berry, Brown of Lee, Davidson, Dickinson, Holden, Hudson, Lowe, Martin, McMurtrey, Miller of Clark, Payne, Quarles, Simmons, Taylor, Weir, and Wright 17.

The following named members voted for Mr Baxter, Messrs. Black of Randolph, Burke, Cunningham, Davidson of Sharp, Fraser, Furbush, Harrison, Jamison, Joyner, Mack, Maynard, McCracken, Morrow, Owen, and Dale 15.

Messrs Miller, Dyer and Parker of Columbia voted for Mr Smoot. 3.

Mr Denby voted for Mr Bishop. 1.

Mr Armstrong was excused for absence on account of illness

Recapitulation of the rote just had in Joint Assembly

Mr J. D. Walker received	43. votes
Mr R. M. Johnson received	31. votes
Mr N. L. Bell received	24. votes
Mr Elisha Baxter received	16. votes
Mr L. P. Smoote received	4. votes
Mr M. L. Rice received	1. vote
Mr A. H. Bishop received	1. vote
Total rote cast	120 votes

Necessary to a choice 61.

No one having received a majority of all the votes cast and there being no Election a Second Ballot was ordered Whereupon

The Secretary called the roll and the following Senators voted for Mr Walker Senators Armistead, Chism, Crowley, Duncan, Galeswood, Hanna, Hill, Rutherford, Scipio, Watkins, Watson & Wilson 12

The following Senators voted for Mr Johnson Senators Carlton, Ferguson, Hampton, Harris, Kerr, Mitchel, Mullikin, & Perry 8.

The following Senators voted for Mr Bell Senators Gault, Pennington, Stanford, Thornton, White, Williams & Mr President 7.

Mr Jud Kins voted for Mr Baxter 1.

Mr Boyd voted for Mr Rice 1.

Mr Reid votes for Mr Smoote 1.

The Clerk calls the roll and the following named members voted for Mr Walker Messrs Black of Boone, Babb, Brady, Brown of White, Bruner, Bryan, Church, Coody, Davidson of Izard, Dellinger, Dippin, Fraser, Hatfield, Holmes, Jordan, Keith, King, Lee of Marion, Lonclinmills, Moore, Morris of Carroll, Morris of Stone, Pindall, Priddy, Riddick, Rodgers, Stanley, Stubbs, Turner, Walker of Washington, Warren and Williams 32.

The following named members vote for Mr Johnson Mess. Archer, Barnett, Blackwood, Brewer, Brinkley, Britt, Carter, Conway, Dishaud, Gilliam, Greening, Hanby, Hare, Hobson, Kemp, Lee of Harnett, McKinnon, Miller of Conway, Richardson, Sinnott, Thomas, Washburn and Mr Speaker 23.

The following named members vote for Mr Bell Mess Baskin, Barry, Bramlett, Dan, Orr, Dickinson, Holden, Hudson, Love, Martin, McMurray, Miller of Clark, Payne, Quarles, Simmons, Taylor, Weir, and Wright. 17.

The following named members vote for Mr Baxter Mess Black of Randolph, Burke, Cunningham, Davidson of Knox, Fairbush, Garrison, Joyner, Meek, Mainard, McCracken, Minor, Owen, and Tate 15.

Mess Askew, Lyon and Mallett of Columbus vote for Mr Smoot 3.

Mr Hendley votes for Mr Bishop. 1.

Mr Jamison vote for Mr J. H. Berry. 1.

Recapitulation of Ballot 2.

Mr J. L. Bell received	44 votes
Mr R. F. Johnson received	31 votes
Mr W. L. Bell received	24 votes
Mr Elisha W. Baxter received	14 votes
Mr G. P. Smoot received	4 votes
Mr W. L. Rice received	1 vote
Mr A. H. Bishop received	1 vote
Mr J. H. Berry received	1 vote

Total vote cast 120 votes

Necessary to a choice 61 votes

No one having received a majority of all the vote cast and there being no election

The Secretary was directed to call the roll and the following named Senators vote for Mr Weller Senator Armistead, Chism, Crosby, Duncan, Gatewood, Hamner, Hill, Rutherford, Sipsey, Watkins, Watson and Wilson. 12

The following named Senators voted for Mr Johnson Senators Carlton, Ferguson, Hampton, Hurst, Kerr, Mitchel, Mulkey, and Perry 8.

The following Senators voted for Mr Bell Messr Garett, Pennington, Stanford, Thornton, White, Williams and Mr President 7.

Senator Jordan voted for Mr Barton

Senator Boyd voted for Mr Rice

Senator Reid voted for Mr. Smoote

The Clerk called the roll and the following named members voted for Mr Walker Messr Abbott of Boone, Bobo, Braly, Brown of White, Brumback, Burns, Cheek, Coody, Davidson of Izard, Dettmer, Dilday, Finn, Fraser, Hartsfield, Hobbs, Jordan, Keith, King, Lee of Perry, Lovett, Moore, Morris of Carroll, Morris of Stone, Pindall, Priddy, Riddick, Rodgers, Stanley, Stubbs, Turner, Walker of Washington, Warren, and Williams 22

The following named members voted for Mr Johnson Messr Archer, Barnett, Blackwood, Brewer, Brickey, Britt, Curtis, Conway, Fishback, Gillam, Greening, Hanly, Hare, Hoban, Kemp, Lee of Lonoke, McCornell, Mills of Conway, Richardson, Sennett, Simms, Washburn and Mr Speaker 15

The following named members voted for Mr. Bell Messr Barton, Barry, Brown of Lee, Dawson, Dickinson, Haldin, Hudson, Lowe, Martin, McMurtrey, Mills of Clark, Payne, Quarles, Simmons Taylor, Weir, and Wright 17.

The following named members voted for Mr Barton Messr Black of Randolph, Burke, Cunningham, Harrison of Sharp, Forbush, Harrison, Joyner, Mack, Maxiard, McCracken, Minor, Owen and Pate 13.

Mess Asken, Dyam & Mackie of Columbia
rate for Mr Amoate 3
Mr Dewley rate for Mr Bishop 1
Mr Jameson rate for Mr Berry 1

Recapitulation
of 2d Ballot

Mr Mackie received	44	rates
Mr Johnson received	31	rates
Mr Dee received	24	rates
Mr Baxter received	14	rates
Mr Amoate received	4	rates
Mr Rice received	1	rate
Mr Bishop received	1	rate
Mr Berry received	1	rate
Total rates cast	120	rates

Necessary to a choice 61 rates

No one having received a majority of
all the rates cast, there being no Election

On motion of Senator Reed the Joint
Assembly at 12.55 P.M. was dissolved
and the Senate proceeded to the Office
Hall from the Hall of the House of
Representatives

On motion of Mr ~~Hubbell~~ Conway at 1 P.M.
the House adjourned

John G. Ballard
Clerk

J. S. Reardon
Speaker

House of Representatives

Little Rock Arkansas
Thursday January 23d 1879.

The House met pursuant to adjournment at 9:30 O'clock A. M.

The Clerk called the Roll and the following named members answered to their names Mess Archer, Askew, Barnett, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Brady, Brewer, Brinkley, Britt, Brown of Lee, Brown of White, Bumpass, Burke, Burns, Carter, Chick, Cockmore, Cunningham, Davidson of Sharp, Davidson of Izard, Dawson, Dewley, Dickinson, Feltus, Fishback, Gilpin, Fraser, Furbush, Gillam, Greening, Hanly, Hare, Harrison, Hobson, Holden, Holifield, Holmes, Hudson, Jameson, Jordan, Joyner, Kent, Kemp, King, Lee of Howard, Lowenwild, Love, Mack, Maynard, Martin, McCommes, McCracken, McMurtry, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Carroll, Morris of Stone, Owen, Payne, Pindall, Priddy, Quarles, Richardson, Roden, Samuels, Stanley, Stubbs, Tate, Taylor, Thomas, Turner, Tyson, Walker of Columbia, Walker of Washington, Watson, Washburn, Wear, Williams, Wright and Mr Speaker 82.
a quorum present.

The chaplain of the House Rev Mr Dye offers prayer.

On motion of Mr McCommes Col Owens was invited to a seat upon the floor and Col Gallaghar Editor of the Fort Smith Herald was tendered the reporters desk.

On motion of Mr Gillam Mr Murphy was excused for absence on account of sickness.

The Clerk read the Journal of yesterdays proceedings and there being no objection the same was approved and signed by the Speaker and Clerk of the House.

Messrs Lee of Newton, Conway, Barton, Simmons and Woody answered to their names

Mr Fishback rose to a question of privilege and offers the following
Resolved; That in addition to the Cadets

Gallery, the Lobby on the floor of the House of Representatives, shall be reserved for the exclusive use of Ladies and their Escorts - during the Sessions of said Convention - and the Sergeant at Arms is fully authorized and instructed to Enforce this Resolution

Which Resolution was adopted

The Sergeant at Arms announced a message from the Senate. When

Mr Gathings Assistant Secretary of the Senate read as follows.

Senate Chamber
January 28th 1870.

Mr Speaker

I am instructed by the Senate to inform your Honorable body of the passage by said Body No 12. "An act entitled an act to restore to the Arkansas Institute for the Blind money erroneously paid into the State Treasury" and herewith respectfully transmit the same for your favorable Consideration

S.B. No 12

Lon O. Kretschmar
Secretary

Mr Walker of Washington asked leave which was granted to offer the following Resolution

"Resolved; That the Chairman of the Committee of Ways and Means be, and he is hereby authorized to employ a Clerk for said Committee whenever the services of a Clerk may be necessary who shall receive pay only for the time he is actually employed at the rate of three dollars per day" and moved its adoption

Mr Williams called for the ayes and noes

Which was as follows

The Clerk called the roll, when the following named members voted in the affirmative Messrs Aiken, Barnett, Burks, Black of Bowie, Black of Randolph, Blackwood, Bobo, Brady, Brewer, Brown of Lee, Brown of White, Brumback, Bunch, Burns, Cantu, Church, Conway, Crenshaw, Cunningham, Dunham of Sharp, Dunham of Izard, Deinler, Dickinson, Dolton, Dishaugh, Philpin, Fraser, Furbush, Greening, Hanly, Hare, Harrison, Jackson, Haldin, Hendricks, Holmes, Hudson, Jordan, Joyner, Kemp, King, Lonsdale, Meeks, Lutz, Martin, McConnell, McCracken

McMurtrey, Mullen of Clarke, Mullen of Conway, Moore, Morris of Carroll, Morris of Stone, Payne, Pindall, Priddy, Quarles, Richardson, Rorex, Simmons, Simmott, Stanley, Stubbs, Tate, Taylor, Thomas, Turner, Tyson, Warren of Columbia, Warren of Washington, Warner, Washburn, Weir, Wright & Mr Speaker 74

The following members voted in the negative Messrs. Berry, Brindley, Britt, Brady, Gillam, Keith, Mack, Minor, Orrin, Rector, and Williams 11.

In the affirmative 74.
In the negative 11

So the Resolution was adopted.

On motion of Mr Harris Mr Webber Editor of the Sabine County Digest was extended the privilege of the Reporters desk.

On further leave asked and granted, Mr Pippin moved that the Committee on Elections be allowed a Clerk who shall be paid at the rate of three dollars per day for the time actually employed

Mr Pindall introduced the following resolution as an amendment

"Resolved; That the Judiciary Committee be authorized to employ a Clerk for said Committee — also a Janitor, the latter at a cost not to exceed fifteen dollars pr month.

And also that they be authorized to cause the gas fixtures to be repaired to their Committee Rooms, so as to connect the same with the gas fixtures in the State House, and that the same shall be paid for out of the Contingent fund of this House

Upon a division being called for

The question being to allow Committee to employ a Janitor.

The Clerk called the roll and the following named members voted in the affirmative Messrs Askew, Barnes, Barker, Blackmon, Brady, Bobo, Brewer, Britt,

Brownlee, Byrne, Conway, Cunningham, Darrow, Dickinson, Dilpin, Hanly, Hare, Harrison, Hobson, Jamison, Mack Manvard, Miller of Clark, Minor, Moore, Morris of Stone, Payne, Pindall, Priddy, Richardson, Rimmott, Stanley, Sumler, Thomas, Walker of Washington, Wright and Mr Speaker 37.

The following named members rose in the negative, Messrs. Barry, Black of Boone, Black of Randolph, Brinkley, Brown of White, Burnside, Burrus, Curtis, Finch, Goodly, Greenmore, Harrison of Sharp, Hardin of Izard, Hendley, Felton, Jackson, Jarboe, Gillam, Greening, Hobbs, Holtzfield, Holmes, Hudson, Jordan, Joyner, Keith, Kemp, King, Lancaster, Love, Martin, McConnell, McCracken, Mahoney, Miller of Conway, Morris of Carroll, Owen, Quarles, Riddick, Roden, Simmons, Stubbs, Sutton, Turner, Tyson, Walker of Columbia, Warner, Washburn and Williams 49

So the affirmative 37.
So the negative 49. So the motion was lost

The question being then upon the motion that the Committee be authorized to employ a Clerk and for the necessary repairs of Gas fixtures of the Committee room

Which was adopted.

The question then recurring on the motion of Mr Slipin that the Committee on Elections be also authorized to employ a Clerk at a cost of three dollars per day for days actually employed

Which was adopted.

On leave asked and obtained

Mr Banks offered the following "Resolved; That distinguished and patriotic citizen of Arkansas Col. P. Deacon has in accordance with the expressed desire of many members of this body consented to deliver his justly celebrated Lecture upon "Men and Women" Monday Tuesday Evening next. Therefore

Be it Resolved; That the House of this House be tendered the Gentleman at the time and for the purpose indicated."

The question being on the adoption of the resolution

It was adopted

H.J.M. No 1. Mr McConnell introduced H.J.M. No 1. "To the U.S. Congress, requesting a grant of four acres at Hot Springs, for the location of an Insane Asylum

Which was read the first time

Mr McConnell moved that the rules be suspended and the Memorial be read a second time that it be made Special order for to morrow at 10. O'clock A.M.

which was adopted

The Memorial was then read a second time And on further motion of Mr Cunningham it was referred to the Committee on Insane Asylum

H.B. No 1. Mr Wright from the Committee on Public Buildings reported H.B. No 1. "An act making appropriation to pay for repairs &c of the Hall of the General Assembly, furnishing &c and with the recommendation that it pass

Mr Slippin moved that it be made Special order for to morrow 10 O'clock A.M.

Mr Stubbs moved to amend that the Bill be made Special order for to morrow at ten O'clock A.M. and referred to the Committee of the Whole

Which was adopted

H.B. No. 11. Mr Mack from the Committee on the Judiciary reported H.B. No 11 as follows

Mr Speaker

The Judiciary Committee having had under Consideration H.B. No 11. and request me to report the same back to the House with the recommendation that it do pass

H.B. No 67 The hour of 11 A.M. having arrived being Special order for H.B. No 67

Mr Date moved that the bill be read a third time and place

upon its final passage
shall the bill pass. The question being thus
The Clerk called the roll
when the following members rose in the affirm-
ative, Mess. Archer, Baker, Barnett, Barlow, Barry,
Black of Bogue, Blackwood, Boles, Braly, Brewer,
Brinkley, Britt, Brown of White, Brumbaugh, Burke,
Burns, Carter, Clark, Conway, Crady, Crumpler,
Cunningham, Davidson of Cleveland, Davidson of Iredell,
Dawson, Dunlap, Dickinson, Felton, Fishback,
Gilliam, Fraser, Furbush, Gillam, Haney, Hare,
Harrison, Hobson, Holden, Hairfield, Holmes,
Hudson, Jamison, Jordan, Joyner, Keith,
Kemp, King, Lee, Leonard, Lee of Morton,
Lowdermilk, Mack, Maynard, Martin,
McConnell, McCracken, McMurtrey, Miller
of Clark, Miller of Conway, Minor, Moore,
Morris of Carroll, Morris of Stone, Owen,
Payne, Pindall, Priddy, Rhodes, Riddick,
Richardson, Rodman, Simmons, Simmonds, Stanley,
Stubbs, Dale, Taylor, Thomas, Turner, Tyson,
Waller of Columbia, Waller of Washington,
Warren, Washburn, Weir, Williams Blair Wilson
Speaker

Ayes 86.

Noes. none

Absent and not voting 7. So the bill
passed

On motion of Mr Washburn the rules
H.B. No. 29 were suspended and H.B. No 29 was read
a second time

Mr Washburn moved that it be engrossed
and made special order for to morrow

Mr McConnell moved to amend that the
Bill be referred to a Committee of all the
members of the 12th Judicial Circuit
which was adopted

On motion of Mr Cunningham the Senate
was notified that the House was ready to receive
that body at 12 M. for the purpose of
electing a United States Senator.

Motion to suspension of the rules

H.J.R. No.10 Mr Coody introduced H.J.R No 10 Resolution to amend Constitution

Which was read the first time

Unfinished business being in order

The Clerk proceeded to read the bill introduced on yesterday H.B. No 85. by Mr Minor being H.B. No 85. "A bill for an act to be entitled an act to repeal section Seventy five (75) of an act entitled "An act fixing the regular terms for holding the County Courts of the State and defining the salary of County Judges, and the per diem pay of Associate Justices in the several Counties of this State" approved Feby 5th 1875. etc. etc.

Which was read the first time

H.B. No.86 Mr Barnes introduced H.B. No 86 "An act to enable Probate Courts to re-open and re-state annual settlements upon a charge of fraud, accident or mistake.

Which was read the first time

H.B. No.87 Mr Pindall introduced H.B. No 87. An act to be entitled an act to provide for building and repairing the public Levees of this State.

Which was read the first time

Pending the reading Mr Thomas was called to the Chair

On motion of Mr Gilliam Genl Day was invited to a seat upon the floor

On motion of Mr Brady the House at 11 1/2 A.M. took a recess to 12 M.

After the Recess at 12 M. Celebration.

The Sergeant at Arms announced the approach of the Senate.

The Senate preceded by its officers entered and took Seats upon the floor of the House. Hon W.M. Duffie President of the Senate took the Chair

The Secretary of the Senate was directed to call the roll of the Senate; Whereupon

The following Senators answered to their names
Armistead, Boyd, Carlton, Chism, Crowley, Duncan
Ferguson, Gantt, Gatewood, Hampton, Hanna,
Harris, Hill, Jackson, Kerr, Mitchell, Munsey,
Pennington, Rea, Rutherford, Stanford, Terry,
Thornton, Tipton, Watkins, Watson, White, Whit-
ington, Williams, Wilson and Mr President 31.
A quorum present.

The Clerk called the roll and the following mem-
bers answered to their names. Messrs Archer,
Asher, Barnett, Barton, Barry, Black of Bono,
Black of Randolph, Blackmon, Bobo, Bray,
Brewer, Brinkley, Britt, Brown of Lee, Brown
of White, Brumpass, Burke, Bruno, Curtis, Cheek,
Conway, Crady, Cruikmire, Cummingham,
Davidson of Clark, Davidson of Izard, Dawson,
Dunlap, Dickinson, Eckert, Fishback, Flip-
pin, Foust, Furbush, Gillam, Greening, Hanly
Hare, Harrison, Hobson, Holden, Hollensworth
Hopkins, Hudson, Jameson, Jordan, Joyner,
Keith, Kemp, King, Lee of Howard, Lee of Monroe,
Lowdermilk, Lowe, Mack, Maynard, Martin,
McConnell, McCracken, McMurtry, Miller
of Clark, Miller of Conway, Minor, Moore
Morris of Carroll, Morris of Izard, Murphy,
Owen, Payne, Pindall, Priddy, Quarles,
Riddick, Richardson, Roden, Simmons
Smith, Stanley, Stubbs, Teed, Taylor,
Thomas, Trotter, Tyson, Waddy of
Columbia, Walker of Pocahontas,
Warren, Washburn, Weir, Williams,
Wright and Mr Speaker
A quorum present.

The President of the Senate explained
the object of the Joint Assembly to
be for the purpose of taking a ballot
for the Election of a United States
Senator

Whereupon the Secretary was
directed to call the roll of the Senate when
the following vote for Mr Hanly; Senators
Armistead, Chism, Crowley, Duncan, Gatewood,
Hanna, Hill, Rutherford, Tipton, Watkins,
Watson and Wilson 12.

The following Senators vote for Mr Johnson

Senators, Carlton, Gerry, Hampton, Harris, Kerr, Mitchell, Whitley, and Perry 8.

The following voted for Mr Beall, Senators Gantt, Pennington, Stanford, Thurston, White, Whittington, Williams, and Mr President 8.

Senator Jordan voted for Mr Baxter 1.

Senator Boyd voted for Mr Rice 1.

Senator Reid voted for Mr Snook 1.

The Clerk called the roll of the House when the following named members voted for Mr Walker: Miss Black of Boone, Dobo, Bracey, Brown of White, Bumpass, Burns, Clark, Coody, Davidson of Izard, Fetner, Gipson, Draper, Hollifield, Holmes, Jordan, Keck, King, Lowdermilk, Moore, Morris of Carroll, Morris of Stone, Pindall, Priddy, Riddick, Rodgers, Stanley, Stubbs, Thrash, Walker of Washington, Warner and Williams 31.

The following named members voted for Mr Johnson: Mess. Archer, Barnett, Blackwood, Brewer, Bromley, Britt, Curtis, Conway, Dickinson, Dishaco, Gilmore, Greening, Haney, Hobson, Hollis, Kemp, Leopard, Lowe, and, McCormick, McMurtrey, Miller of Cross, Ray, Murphy, Richardson, Simpson, Thomas, Washburn, Wright and McShane. 29.

The following named members voted for Mr Beck: Mess. Barker, Barry, Burson, Hudson, Lord, Martin, Mowery, Hunt, Payne, Quarles, Simmons, Taylor and Weir 12.

The following named members voted for Mr Baxter: Mess Black of Randolph, Brown of Lee, Burke, Cummings, Davidson of Clark, Dishough, Dunn, Jamison, Joyner, Mack, Maynard, McCracken, Minor, Owen and Pace 15.

Mess Askew, Dyer and Walker of Columbia voted for Mr Smoot.

Three Cruikshanks Added of Nurton rates for Mr Rice
Mr Lindsey rates for Mr Bishop. 1.
" Mr Harrison rates for Mr A. C. Nurton 1.

Recapitulation of the rate Ballot No 14.

Mr Martin received	48 rates
Mr Johnson received	35 rates
Mr Bell received	20 rates
Mr. Baxter received	16 rates
Mr Smoot received	4 rates
Mr Rice received	3 rates
Mr Bishop received	1 rate
Mr Nurton received	1 rate
Total rate Cast.	128 rates

Necessary to a Choice 65.

No one having received a majority of all the rates Cast; there being no Election

The Secretary called the Roll of the Senate and a 5th Ballot taken

The following Senators rated for Mr. Martin Mr Armistead, Chism, Crosby, Duncan, Gilmore, Hanna, Hill, Pinchford, Pipkin, Watkins, Watson and Wilson. 12.

The following Senators rated for Mr Johnson Senators Carlton, Ferguson, Hampton, Harris, Kerr, Mitchell, Mulkey, and Perky. 8.

The following named Senators rated for Mr Bell Senators Canty, Pennington, Stanford, Shannon, White, Whittington, Williams and Mr President 8.

Senator Goodlett rated for Mr Baxter 1.
Senator Boyd rated for Mr Rice 1.
Senator Reid rated for Mr Smoot 1.

The Clerk called the Race when the following

names numbers voted for Mr Mallow Mess
Black of Boone, Bobo, Bray, Brown of White,
Bumpass, Burns, Cluck, Coody, Davidson
of Ward, Deitrick, Dupree Fraser, Garfield,
Holmes, Jordan, Kirk, Long, Lowdermilk,
Martin, Moore, Morris of Carroll, Morris of
Lee, Pinson, Brady, Riddick, Roden
Hanby, Stubbs, Turnd, Walker of Washington,
Ward and Williams 32.

The following names numbers voted
for Mr Johnson Mess. Archer, Barnett,
Blackwood, Brewer, Brinkley, Britt,
Curtis, Darroy, Dickinson, Fishback, Gilum,
Greening, Hardy, Hobson, Holden Kemp, Lee
of Howard, McConnell, McMurtrey, Miller
of Conroy, Murphy, Richardson, Simmons
Thomas, Washburn, Wright and Mr Speaker 27.

The following named numbers voted for
Mr Bell Mess. Barker, Barry, Damon,
Hudson, Lowe, Miller of Clark, Payne, Quarles,
Simmons, Taylor and Weir 11.

The following names numbers voted for
Mr Baxter Mess Black of Randolph,
Brown of Lee, Burke, Cunningham, Davidson
of Sharp, Durham, Hare, Harrison, Jameson,
Joyner, Mack, Maynard, McCorkle,
Minor, Owen, and Date 16.

Mess Allen, Dromgoole, Mallory of Columbia
voted for Mr Smoote 3

Mess Gudmore and Lee of Martin voted for
Mr Rice - 2

Mr Dewberry voted for Mr Bishop 1.

Recapitulation of Ballot No 5.

Mr Mallard	received	44 votes
Mr Johnson	received	35 votes
Mr Bell	received	19 votes
Mr Baxter	received	17 votes
Mr Smoote	received	4 votes
Mr Rice	received	3 votes
Mr Bishop	received	1 votes
	Total votes cast	123 votes

Necessary to an Election by rules

No one of the Candidates having received a majority of all the votes cast there being no Election

On motion of Senator Thornton the Joint Assembly do adjourn until to-morrow at 12 o'clock M and the Senate at 12 o'clock M. and the Senate & House adjourned by its officers retired from the Hall of the House of Representatives

On motion of Mr Pickback the House at 12.46. P.M. adjourns

John G. Barnwell
Clerk

J. F. Beardon
President

House of Representatives

Little Rock, Arkansas
Friday January 24th 1879

The House met pursuant to adjournment at 9 00 A.M.

The Clerk called the roll and the following named members answered to their names Mess: Archer, Askew, Barker, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Braly, Brown, Brumley, Britt, Brown of Lee, Brown of White, Burnes, Burns, Carter, Chick, Conway, Cooley, Creek, Moore, Davidson of Sharp, Davidson of Izard, Denby, Deltuva, Dishbach, Dispain, Druser, Durbrak, Gilmer, Greening, Hanly, Hare, Hobson, Holden, Holifield, Holmes, Hudson, Jamison, Jordan, Joyner, Keith, Kenyon, King, Lee of Howard, Lemmond, Lowe, Mack, Martin, McConnell, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Minor, Morris of Carroll, Morris of Stone, Owen, Payne, Priday, Quarles, Riddick, Richardson, Simmons, Simmott, Stanley, Stubbs, Tate, Thomas, Turner, Tyson, Wann of Columbia, Wann of Washington, Ward, Washburn, Weir, Williams, Wright and Mr Speaker

a quorum present

Mr Maynard was excused for absence

The chaplain of the House Mr Dye offered prayer

Mess Barnett, Dickinson, Rader, Dawson, Lee of Newton, Cunningham and Taylor appeared within the bar of the House and answered to their names

On motion of Mr Holmes Dr Flowers was invited to a seat upon the floor of the House

The Clerk read the Journal of yesterdays proceedings and the Journal was corrected so as to show that H.B. No 69 was read a third time and the further correction by striking out that H.J.M No 1. was made Special order for to day at 10 Oclock A.M. and on motion of Mr Stubbs the reading of so much of the Journal as relates to the ballot taken for United States Senator was dispensed with.

after which the Journal was approved and signed by the Speaker and Clerk of the House

On motion of Mr Stubbs Mrs Barry and Simmons were added to the Committee on Insane Asylums

Mr Thomas moved that H.B. No 10. be taken up from the Table

which motion was adopted and

H.B. No.10. H.B. No.10 was taken up

Mr Barker moved the following amendment; amend Section one by adding at the end of said Section the following; "and provided that real property sold hereunder, may be redeemed by the mortgagor at any time within one year from the date thereof by payment of the amount for which said property is sold together with ten per cent. interest thereon and cost of sale"

which was read the first time

Mr Thomas moved that the rules be suspended and the amendment read a second time

which motion was adopted

The rules were suspended and the amendment read a second time

and on further motion of Mr Thomas was adopted.

Mr Thomas offered the following amendment; add at the End of Section two the following "to be paid from the proceeds of the sale of the property"

which was read the first time

Mr Thomas moves that the rules be suspended and the amendment read a second time

which motion was adopted

The rules were then suspended and the amendment was read a second time and On motion of Mr Thomas was adopted

Mr Hanly moved to further amend Section two by striking out the words "making the Sale" and insert in lieu thereof the words "whose property may be so appraised"

Mr Cunningham moved that the Bill be referred to the Committee on the Judiciary

Mr Martin of Washington moved to amend and that the Bill and amendments be referred to to the Committee on the Judiciary

Which motion was adopted

The Sergeant at Arms announced a message from the Senate

Mr Mr Gaffney the Assistant Secretary of the Senate appeared within the bar of the House and read as follows.

Senate Chamber
January 24th 1879

Mr Speaker

I am directed by the Senate to inform your honorable body of the passage of S.B. No 14. "An act to reduce Salary of Judge of Court of Common Pleas of Prairie County" and herewith respectfully transmit the same for your favorable Consideration

Don D. Kretschmar
Secretary

S.B. No. 14.

The House went into a Committee of the whole Mr Braly in the Chair on H.B. No 1. it being Special order of today

H.B. No 1.

After a short time the Committee rose and Mr. Barnett [illegible] the Chair and the Committee through its chairman Mr Braly reported back S.B. No 10. with the recommendation that it pass

On motion of Mr Fishback the Bill was referred to the Committee on the Judiciary

Mr Burke appeared and answered to his name
The Speaker resumed the Chair
Mr Braly moved that the rules be suspended and that H.B. No 24 be read a second time
Which was not agreed to.

Mr Jamison sent to the Clerks desk and had read a petition from the citizen of El Dorado Union County asking the repeal of the Law prohibiting the sale of Liquor &c
Which was referred to the Committee on Petitions and Memorials

Mr McConnell from Special Committee to whom was referred H.B. No 29. made the following report.

Mr Speaker. -

H.B. No. 29

The Select Committee to whom was referred H.B. No 29. Entitled "A bill to be entitled an act to change the time of holding the Courts in the 12th Judicial District in this State" have given the same mature consideration and instructed me to report the accompanying Bill as a substitute and recommend that it do pass

H.B. 88. — Sub. for H.B. 29

Mr McConnell moved that the rules be suspended and that H.B. No 88, being a Substitute for H.B. No 29 be read the first time

which motion was not agreed to.

Mr Dickinson from the Committee on Judiciary made the following report,

Mr Speaker

H.B. No 21.

Your Committee to whom was referred H.B. No 21. beg to return the same with the recommendation that it pass.

Mr Mann of Washington from the Committee of Ways and Means reported as follows.

Mr Speaker.

H.B. No 84

The Committee of Ways and Means to whom was referred H.B. No 84. An act entitled "An act to supply deficiencies in the appropriations for Salaries for Supreme, Circuit and Chancery Court Judges for two years ending March the 9th 1879." have had the same under Consideration and instructed me to report the Bill to the House of Representatives with a recommendation that it pass without amendments

and on motion of Mr Mann of Washington the H.B. No. 84 was made Special order for to-morrow at 10. a.m.

Mr Mann of Washington of Committee on Ways and Means made the following report

Mr Speaker,

The Committee on Ways and Means, to whom was referred that portion of the Governors Message treating on Finance beg leave to report, that the same has been carefully considered by your Committee

and instructed me to recommend that the Speaker appoint a Select Committee consisted of Mr Stanley of Woodruff, Mr Burke of Phillips and Mr Wright of Union to draft a bill correcting the irregularities in the present Revenue laws of the State and that they be excused from serving on other Committees during the time they are engaged in said work

On motion of Mr Mallett of Washington the report was adopted.

Mr Fishback from Select Committee of Nine made the following report

Mr Speaker

The Select Committee of Nine to whom was referred the matter of frauds in Elections in this State, have instructed me to report that they have had the subject under consideration and would respectfully request of members of the House that they furnish the Committee with such information as may be in their possession together with the names of witnesses by whom they can be established that they may be summoned to the Select Committee

H.J.R. No. 11. Mr Turner introduced H.J.R. No 11. "Joint Resolution of the General Assembly of the State of Arkansas"

which was read the first time

Mr Dawson moved that the rules be suspended and the Resolution read the second time. a division being called for

The House by a rising vote of 37 ayes to 6 nays suspended the rules and

H.J.R No 11. was then read a second time

Mr Dawson moved that it be referred to the Committee on Education

Mr Bobo moved to amend by referring to the Committee on the Judiciary

Which was adopted

Mr Black of Randolph introduced the

following resolution as an amendment to the rules of the House of Representatives

Resolved.

That when the introduction of Bills in this House the Clerk shall call the roll alphabetically and as the member is called, present his bill or bills. — The Clerk beginning on alternate days at top and bottom of roll, and in case the whole roll is not called on any day, then to begin where he left off

Which lies over under the rules of the House for one day

On motion of Mr Shippin the Senate was notified that the House will be ready at 12 Oclock M. to receive that body in Joint assembly for the purpose of proceeding with the election of a United States Senator

Mr Bimshaw introduced the following

Resolved

That the Clerk report a Special Committee of five to consider the matter as to changing the time for assessing and collecting taxes and that they be required to report at our next convenience by Bill or otherwise

Which resolution was adopted.

On motion of Mr Barnum Mr Lee of Newton was added to the Committee on Railroads

On Motion of Mr Andrews Mr Rinsall was added to the Same Committee

On motion of Mr Irwin Mr Burris was added to the Committee on Retrenchment

On motion of Mr Conway Mr Britton was added to the Committee on Circuit and Justices Courts.

On motion of Mr Taylor Mr Brewer was added to the Committee on Railroads.

Mr Bray moved that the regular order be dispensed with and that bills on Second

reading be taken up
upon a division being called for the House by a rising vote of 55 ayes to 5 nays dispensed with the regular order of business was this second reading were taken up.

H.B. No 24 H.B. No 24 was read a second time

Mr Brady moved that the bill lie on the table and that 200 copies be printed

Mr Stubbs moved to amend, to refer it to the Committee on Retrenchment

Mr Stanley moved as a substitute that it be referred to the Committee on Immigration
which was adopted

On motion of Mr Dixon Miss Ross, Fields, Flemming and Courland were invited to seats upon the floor

H.B. No. 25. H.B. No 25 was taken up and was a second time

H.B. No. 26. H.B. No 26 was read a second time

Mr Washburn moves that it be referred to the Committee on the Judiciary

Mr Cunningham moves to amend by referring it to the Committee on Circuit & Justices Courts
Which motion was adopted

H.B. No. 27 H.B. No 27 was read a second time

Mr Tate moves that it be referred to the Committee on Charitable Institutions
Which was adopted

H.B. No. 28 H.B. No 28. was read a second time

Mr Dickinson moves that it be referred to the Committee on Counties & County lines
Which was adopted

H.B. No 4 H.J.R. No 4. was read a second time

On motion of Mr Babo it was referred to the Committee on the Judiciary with instructions that they report at their earliest convenience

H.B. No 30 H.B. No. 30. was read a second time

On motion of Mr Dove it was made a Special order for tomorrow at 10. Oclock A.M.

H.B. No 31. H.B. No 31. was read a second time

On motion of Mr Hare it was referred to the Committee on the Judiciary

H.B. No 32 H.B. No 32. was read a second time

Mr Richardson moved that it be referred to the Committee on Circuit and Justices Courts

Mr Minor moved as a substitute that it be referred to the Committee on the Judiciary Which was adopted.

On motion of Mr Hare the House at 11.20 took a recess to 11.55 a.m.

After Recess
11.55 A.M.

On motion of Mr Miles of Clark Mr Harrison was excused for absence

The Sergeant at Arms announced the approach of the Senate

The Senate preceded by its officers entered the Hall of the House of Representatives and took seats upon the floor of the House. Hon W. M. Duffie President of the Senate took the Chair.

The Secretary of the Senate called the roll of the Senate when the following Senators answered present Senators Armistead, Boyd, Carlton, Chewning, Crosby, Duncan, Ferguson, Gantt, Gaterson, Hampton, Hanna, Hydrick, Hill, Jardine, Kennedy, Mitchell, Mulkey, Pennington, Reid, Richardson, Stanford, Perry Thornton, Tipton, Watkins, Watson, White, Williams, Wilson and Mr President. 30

a quorum present

The Clerk calls the roll of the members of the House and the following members answer to their names Mess Archie, Ashley, Barnett, Barry, Black of Boone, Black of Randolph Blackwood, Bobo, Brady, Brewer, Brinkley, Britt, Brown of Lee, Brown of Platt, Brumpass, Burke, Burns, Curtis Clark, Conway, Coody, Cushman, Cunningham, Davidson of Sharp, Davidson of Izard, Dawson, Denley, Dickinson, Felton, Fishback, Flippin, Frosch, Furbush, Gillam, Gunning, Hanly, Hare, Harbison, Holden, Holifield, Holmes, Hudson, Jamison, Jordan, Keith, Kemp, King, Lee of Conway, Lee of Perry, Lemaistre, Lowe, Mack, Martin, McDonnell, McGraelen, McKay, Murphey, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Carroll, Morris of Stone, Orem, Pinson, Priddy, Purtle, Riddick, Richardson, Roden, Simmons, Simmons, Stanley, Stubbs, Tate, Taylor, Thomas, Trice, Tyson, Walker of Columbia, Walker of Washington, Warren, Washburn, Weir, Williams, Wright and Mr Speaker

a quorum present

The President explains the object of the Joint assembly to be for the purpose of Electing a United States Senator

The Secretary calls the roll, the following Senators vote for Mr Walker; Senators Armistead, Chism, Crowley, Dunnam, Paterson, Hanna, Hill, Rutherford, Tipton, Watkins, Watson and Wilson 12.

The following Senators vote for Mr Johnson Senators, Carlton, Ferguson, Hampton, Harris, Kerr, Mitchell, McKay and Terry. 8.

The following Senators vote for Mr Bell Senators Gantt, Pennington, Crawford, Thornton, White, Williams and Mr President 7.

Mr Jenkins votes for Mr Baxter 1.

Mr Boyd votes for Mr Rice 1.
Mr Reid votes for Mr Snavely 1.

Pending the roll call Mr Whittington answered to his name and rated for Mr Bell 1.

The Clerk called the roll and pending the roll call Mr Murphy was excused on motion of Mr Fishback on account of sickness. Messrs Joynes, Maynard and Payne answered to their names.

The following members rated for Mr Anderson Messrs Black of Bouse Bobo, Brady, Brown of Lee, Brown of Nelson, Bruce, Burke, Bruce, Church, Cody, Cummings, Davidson of Surry, Deitrick, Dickinson, Dixon, Garnett, Holmes, Jamison, Jordan, Keith, King, Landrum, Maynard, Martin, Moore, Morris of Russell, Morris of Stone, Nicholas, Priddy, Ricketts, Rodgers, Stanley, Stubbs, Tate, Turner, Walker of Washington, Warren and Williams 38.

The following named members rated for Mr Johnson Messrs Archer, Barnett, Black of Wood, Brewer, Brinkley, Britt, Burks, Carroll, Davidson of Orange, Dickinson, Dickson, Eubank, Fitzhugh, Flannagan, Gregory, Hundley, Hurt, Jackson, Jordan, Kemp, Lee of Norfolk, McConnell, McMurtrey, Miller of Carroll, Minor, Richardson, Inmate, Thomas, Wadelow, Wright and Mr Speaker 30.

The following named members rated for Mr Dell Messrs Barlow, Barry, Harman, Hudson, Lane, McCracken, Miller of Clarke, Payne, Quarles, Simmons, Taylor and Mr Wise 12.

Messrs Black of Randolph, Joynes, Mitchell and Owen rated for Mr Baxter 4.

Messrs Allen, Lyon and Shaw of Columbia rated for Mr Smoot 3

Messrs Breckinridge, Dewey, Lee of Newton rated for Mr Rice 3.

Recapitulation
Ballot No. 6.

Hon J. D. Wallace received	50. votes
Hon D. W. Johnson received	38 votes
Hon M. L. Bell received	20. votes
Hon Elisha Baxter received	5 votes
Hon M. L. Rice received	4 votes
Hon G. P. Smoot received	4 votes
Total votes cast	121 votes

Necessary to a choice 61.

No one having received a majority of all the votes cast the vote there being no Election.

Mr White moved that the Joint Asm, proceed to vote viva voce upon the 2nd Ballot

ayes and noes being called for.

The following Senators voted in the affirmative Bayly, Carlton, Dorgan, Gantt, Johnston, Harris, Kerr, Mitchell, Murray, Pennington, Stanford, Terry, Thornton, White, Whitfield, Williams and Mr President 17.

The following Senators voted in the negative, Armistead, Chism, Conroy, Duncan, Gairrow, Hanna, Hill, Hollis, Reid, Rutherford, Sipton, Watkins, Watson, and Wilson 14.

The Clerk called the roll of the House and the following members voted in the affirmative Miss Archy, Askew, Barnett, Barton, Barry, Blackwood, Breese, Brinkley, Brett, Brown of Lee, Conway, Cruthmire, Durrow, Hadley, Hickman, Dishaek, Gillam, Greenly, Hanly, Hare, Hobson, Holden, Hollifield, Hudson, Joyner, Kemp, Lee of Hempstead, Lee of Hinton, Love, McConnell, McE, Murphy, Miller of Clark, Miller of Conway, Minor, Payne, Riddick, Richardson

Arnold, Taylor, Thomas, Mr Mrs of Columbia, Mr Mrs Mr Mrs Mr Mrs

House of Representatives

Little Rock, Ark Kansas
Saturday January 25th 1879.

The House met pursuant to adjournment at 9:30 Oclock A. M.

The Clerk called the roll and the following named members answered to their names; Mess. Archer, Asker, Barker, Barnett, Black of Boone, Black of Randolph, Bobo, Bray, Brewer, Brindley, Britt, Brown of Lee, Brown of White, Bumpass, Burns, Curtis, Cinch, Conway, Cooley, Greenwood, Cummingham, Davidson of Sharp, Davidson of Izard, Denley, Dickinson, Fellner, Fishback, Fulgham, Fraser, Gillam, Gleeming, Hanly, Hare, Harden, Hatfield, Hudson, Jamison, Jordan, Joyner, Keith, Kemp, King, Lee of Howard, Lindermilk, Love, Mack, Martin, McLemore, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Minor, Morris of Carroll, Morris of Stone, Owen, Pindall, Priddy, Quarles, Richardson, Rodgers, Stanley, Stubbs, Tate, Taylor Thomas, Torrey, Tyson, Walker of Columbia, Walker of Washington, Warren, Wickburn, Williams, Wright and Mr Speaker

a quorum present

On Motion of Mr Walker of Washington, Mr Moore was excused on account of sickness

On Motion of Mr Conway Mr Hudson was excused per absence

Mr Warren asked that Mr Riddick be excused which was granted

Mr Barker moved that Mr Simmons be granted leave of absence for ten days which was granted

Mr Wein answered to his name

Revd Mr Alonzo Monk offered Prayer

The Clerk read the Journal of yesterdays

Proceedings; Pending the reading; on motion of Mr Marlin of Washington the reading of that part of the Journal referring to the leave of a United States Senator was dispensed with; The Journal was then approved and signed by the Speaker and Clerk of the House

Messrs Harrison, Emmott, Barry, Andrews and Beckwood answered to their names.

The Speaker announced the following as a Special Committee on Revision of the Revenue Laws, under the Resolution introduced by Mr Compton on yesterday viz; Messrs Compton, Coady, McConnell, Symes and Mein.

Mr Minor moved that rules be suspended and bills on second reading be taken up

Which was not agreed to

H.B No 4. H.B. No 4. being Special order for today at 10. o'clock A.M.

Mr Lee of Martin answered to his name

The House went into a Committee of the whole on H.B. No 4 "being" An act entitled an act to supply deficiencies in the appropriations for Salaries of Supreme, Circuit and Chancery Court Judges for the two years ending March 7th 1879" was taken up. Mr. Minor in the Chair

The Clerk read the Bill

Mr Marlin of Washington moved that the Bill be read by Section

Which was adopted

The first Section was read

Mr Marlin of Washington moved that Section one be adopted

Which was agreed to

Mr Pritchard moved that the Committee rise and report bill back to the House with the recommendation that it be referred to the Committee on Ways and Means

Which was not agreed to

On motion of Mr Marlin of Washington Section Second was read and adopted

On motion of Mr Shippin the title to the Bill was adopted as read

On further motion of Mr Shippin the Bill as read was adopted as a Whole

Mr Walker of Washington moved that the House as a Committee of the Whole rise and report Bill back to the House with the recommendation that it pass

Which motion was adopted.

Mr Speaker resumed the chair

The Committee then rose and reported H.B. No 4 back to the House with the recommendation that it pass

On motion of Mr Shippin the bill was read a third time

The question then being shall the bill pass

The Clerk called the roll of the House and the following members voted in the affirmative Miss Archer, Asher, Burton, Barry, Black of Bowie, Black of Randolph, Bobo, Brewer, Brinkley White Brown of Lee, Brown of White, Carter, Clark, Conway, Creekmore, Cunningham, Davidson of Sharp, Davidson of Izard, Dunn, Dunlap, Dickinson, Deener, Shipping Fraser, Furbush, Gillam, Fleming, Hanley, Hare, Hobson, Holmes, Hollfield, Hudson, Jamison, Jones, Keith, Kemp, King, Lee of Horrard, Livermith, Love, Mack, Minard, Martin, McConnell, McCracken, McMurtry, Miller of Clark, Miller of Conway, Miner, Morris of Carroll, Morris of Stone, Ozley, Pindall, Priddy, Quarles, Riddick, Richardson, Rolen, Sinnott, Stanley, Stubbs, Tate, Taylor, Thomas, Turner, Tyson Walker of Columbia, Walker of Washington, Warren, Washburn, Weir, Williams, Wright and Mr Speaker 76

Mr Coody voted in the negative 1.

In the affirmative	76
In the negative	1
Absent and not voting	16
Total	93

So the bill

passed)

The Sergeant at Arms announced a message from the Senate

Mr Mr Duthrie the Assistant Secretary of the Senate read as follows: "Senate Chamber January 25. 1879

Mr Speaker

I am instructed by the Senate to inform your honorable body of the passage of S.F.B. No 38 "An act to authorize the Judge of the County Court of Pope County to hold a Special term" with "an amendment changing the time from the first Monday in February to the first Monday in March" and herewith respectfully transmit the same for your favorable consideration

Lou. D. Ketchum
Secretary

H.B. No 38.

S.B. No 30. S.B. No 30 An act to amend an act to fix the time of holding Circuit Court in the County of Ashley" was next Special order

On motion of Mr Lowe the bill was read a third time and placed on its passage

The question being shall the Bill pass
The Clerk called the roll
The following members voted in the Affirmative
Mess Archer, Asher, Austin, Barry, Black of Boone, Black of Randolph, Cobb, Brewer, Brinkley, Brice, Brown of Lee, Brown of White, Bunch, Carter, Chick, Conway, Coody, Cruthmore, Cunningham, Dyer, Dyer of Clark, Dyer of Izard, Dailey, Dillion, Dotson, Dishbach, Dickens, Fraser, Furbush, Gillam, Greening, Hinkle, Hall, Hobson, Holder, Horfield, Hudson, Jamison, Jordan, Joyner, Kirk, Kent, King, Lewis Lindsey, Lowe, Mack, Mimms, Martin, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Minor, Morris of Carroll, Morris of Stone, Murphy, Owen, Pindall, Priddy, Quarles, Riddick, Richardson, Rodgers, Sizemore, Stanley, Stubbs, Tate, Taylor, Thomas, Turner, Tyson, Walker of Columbia, Walker of Washington, Wann, Wyburn, Weir, Williams, Wright and Mr Speaker 74

On the affirmative 79
In the Negative None
Absent and not voting 14
93 So the Bill
passed

Mr Finished business
Resolution introduced by Mr Burke of Randolph
on yesterday
Amending Rules of House of Representatives
was next in order
The Clerk read the Reso,
lution and
On motion of Mr McDermott was
adopted as one of the rules of the House
Mr Date from Special Committee reported
as follows.
Mr Speaker
Your Committee have had under
N.13: No.6 consideration H.C.O. No.6. and respectfully recommend the
passage of the same with the following amend,
ment. Insert after the words in 6th line
"For the selling of such liquors in less quantities
than one quart only for medicinal purposes"
the words "Provided, That nothing in this act
shall be so construed as to prevent any regular
practicing Physician from prescribing and
furnishing his patients under his own
direction such stimulant Spirits or alco,
holic preparations as in his judgment he
may see proper"

On motion of Mr Date the amendment was
read the first time
And on further motion the rules were
suspended and the amendment read
a second time and Adopted

On motion of Mr Shippin the Bill as
amended was referred to the Committee
on the Judiciary

On motion of Mr McCracken Mr J.R.H. Scott
was invited to a seat upon the floor
of the House

Mr Conray from the Committee on the Judiciary reports as follows.

Mr Speaker

The Judiciary Committee have instructed me to report back H.B. No 1. with a recommendation that it pass, with the following ammendment of the title "An act to make an appropriation to pay for reports and furnishing of the Senate Chamber and Hall of the House of Representatives"

H.B. No 1.

Which amendment was adopted

On motion of Mr Conray the rules were suspended and the amendment read a second time and adopted

On motion of Mr Small the bill with the ammendment was ordered Engrossed

H.B. No 88 Substitute for H.B. 29.

H.B. No 88 being substitute for H.B. 29. A bill to be Entitled An act to change the time for holding the Courts in the Twelfth (12th) Judicial Circuit in this State" was taken up and read the first time

On motion of Mr McConnell the rules were suspended and the Bill read a second time

The question now being on the adoption of substitute Bill

Mr ~~Small~~ was adopted

On motion of Mr McConnell the Bill was ordered Engrossed and made Special Order for Monday 29th inst at 10:30 Oclock A.M.

Mr King moved that the rules be suspended and that Senate Bill Nos. be taken up and read

The House by a vote of 83 ayes to 17 nays refused to suspend the rules.

H.J.R. No. 12

Mr Daylor introduced H.J.R. No 12 "Joint Resolution proposing an amendment to the Constitution"

Which was read the first time

H.J.R No 13

Mr Irvin introduced H.J.R No 13 "Joint Resolution of the

H.B. No 89 Mr Wilkerson introduced H.B. No 89 A bill to be Entitled "An act to reveal the title of certain Lands in Dorsey Dutch"
Which was read the first time

Mr Stubbs moved that the Bill be rejected
The House by a rising vote of 37 ayes to 22 nays disallowed the motion and the bill was rejected

H.B. No. 90 Mr Barry introduced H.B. No 90. A Bill to regulate the practice of Medicine in the State"
Which was read the first time

H.B. No 91 Mr Britt introduced H.B. No 91. "An act to reduce the price of Saline, Seminary, Swamp, and overflowed and Internal Improvement Lands of this State now held by actual Settlers and adjoining farms"
Which was read the first time.

H.B. No 92 Mr Burke introduced H.B. No 92 "An act Entitled "An act prescribing the duties of Justices of the Peace, Constables and other peace officers of the State of Arkansas"
Which was read the first time

H.B. No 93 Mr Clark introduced H.B. No 93 An act to be entitled "An act to reduce the price and regulate the sale of Common School lands"
Which was read the first time

H.B. No 94 Mr Cody introduced H.B. No 94 "A bill to stop interest on claims against Estates of deceased persons"
Which was read the first time

H.B. No 95 Mr Cunningham introduced H.B. No 95 "A bill for an act to be entitled an act to repeal an act entitled an act declaring Petit Jean Creek a navigable stream" approved January 10th 1861."
Which was read the first time

H.B. No 96 Mr Cunningham introduced H.B. No. 96 A bill for an act Entitled an act to repeal Section Twelve hundred and Thirty (1230) of Gantts

Digest"

Which was read the first time

H.B. No 97 Mr Cumming introduced H.B. No 97 A bill to be entitled an act to repeal an act entitled An act to amend Section Ten (10) of an act entitled an act to establish the Law of Forcible Entry and Detainer"

Which was read the first time

H.B. No 98 Mr Greening introduced H.B. No 98 "An act to be entitled An act to repeal Sections 3675 and 3676 and to amend Section 3677 of Gantts Digest"

Which was read the first time

H.B. No 99 Mr Kinney introduced H.B. No 99 A bill to be entitled an act to promote Construction of Narrow Gauge Rail roads."

Which was read the first time

On motion of Mr Fishback the Sergeant at Arms was directed to clear the Gallery to the right for the benefit of the Ladies

On Motion of Mr Fraser the House took a recess to 11 o'clock A.M.

After the Recess

The Sergeant at Arms announced the approach of the Senate

The Senate preceded by its officers entered the Hall of the House and took Seats upon the floor Hon W. M. Duffie Secretary of the Senate took the Chair and directed the Secretary of the Senate to call the roll

Upon which call the following Senators were found present Hon Hamilton, Boyd, Carlton, Church, Crosby, Duncan, Ferguson, Gantt, Gates, Hood, Hampton, Hanna, Harris, Hill, Jacobs, Kerr, Mitchell, Mallory, Reid, Richmond, Stanford Terry, Thornton, Upton, Watkins, Watson, White, Whitmyre, Williams. Wilson and Mr Speaker 32

A quorum present.

The Clerk called the roll when the following Members answered to their names Mess Archer, Asher, Bassett, Bartlett, Barry, Black of Bedford, Black of Rutherford, Blackwood, Bobo, Bray, Brewer, Brinkley, Brice, Brown of Lee, Brown of White, Bumpass, Burke, Burns, Curtis, Cheek, Conway, Coody Creek, Dare, Cunningham, Davidson of Harp, Davidson of Grady, Dickson, Dunlap, Dickinson, Dortch, Dibrell, Fishback, Gilpin, Foster, Furbush, Gillam, Fleming, Hardy, Hart, Harrison, Hobson, Haddin, Hollingsworth, Holmes, Hudson, Jameson, Jordan, Joyner, Keith, King, Lea of Hardin, Lea of Wilson, Lenderman, Lane, Manier, Martin, McConnell, McCreary, McMurray, Miller of Clark, Miller of Carroll, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Green, Payne, Pickard, Priddy, Quarles, Riddick of Richardson, Roden, Sumner, Stanley, Stubbs, Tate, Taylor, Thomas, Turner, Tyson, Warren of Columbia, Waller of Washington, Warner, Washburn, Weir, Williams, Wright and Mr Speaker 90 a quorum present.

The President explained the object of the Joint Assembly to be for the purpose of taking a ballot and electing a United State Senator.

Senator White rose to a question of privilege and addressed the Chair in the name of Mr M. L. Pace

The Secretary was directed to call the roll of the Senate and before proceeding to case the vote Mr Mack appeared within the bar of the House and answered to his name

Mr Barry nominated Hon H. M. Rector

The Secretary then called the roll of the following Senators voted as Mr Marshall Armistead, Chism

Crowley, Duncan, Gutierrez, Kamm, Hill, Jenkins, Reid, Rutherford, Tipton, Prather, Matson, Whittington, Prudhomme, and Nelson 16.

The following Senators voted for the Johnson, Carlton, Ferguson, Garrett, Hampton, Harris, Hesh, Mitchell, Munkey, Perry, Ramon, White and Mr President 12.

Senators Boyd and Stanford voted for Mr Rice 2.

The Clerk called the roll of the House of the following members voted for Mr Walker. Mrs Ashcraft, Barker, Block of Boone, Block of Randolph, Bolen, Brown, Brown of Ray, Brown of White, Burrington, Burns, Church, Cook, Cunningham, Davidson of Jackson, Dawson, Deitemeyer, Dilfer, Fraser, Garbush, Hanfield, Holmes, Jamison, Jordan, Joyner, Kent, Kenney, Kreckmeier, Lowe, Mack, Manard, Martin, McCracken, Moore, Morris of Carroll, Morris of Stone, Murray, Bradley, Charles, Riddick, Rodney, Stanley, Stubbs, Tate, Taylor, Thorn, Tyson, Wallace of Columbia, Wallace of Washington, Warren, Williams 70.

The following members voted for Mr Johnson, Mrs. Schuh, Bachtel, Black, Brown, Bruner, Bumley, Britt, Burns, Carter, Conway, Dawson of Hempstead, Dickinson, Fishback, Gillam, Gwenny, Henry, Hare, Hobson, Howell, Hudgins, Kemp, Lee of Hempstead, Lee of Newton, McConnell, McMurtrey, Miller of Clark, Mizell of Conway, Munn, Murphy, Owen, Richardson, Smith, Thomas, Weir, Wright and Mr Speaker 36.

Messrs Barry and Harrison voted for Mr Reeves but afterward changed to Walker 2

Messrs Cheatham and Dowdy voted for Mr Rice 2.

Mr Payne voted for Mr Reeves 1.
Mr Washburn was excused 1.

Recapitulation
Ballot No 7.

Mr J. D. Mullin received 68. votes
Mr W. M. Johnson received 47. votes
Mr M. L. Rice received 4. votes
Mr ~~H.M.~~ Rector received 1 vote
~~Whole vote cast~~ 120 votes
Necessary to an Election 61 votes

Hon J. D. Mullin of Washington County having received a majority of all the votes cast was declared Elected United States Senator in accordance with Law.

On motion of Mr Bray the Board out appointed the following a Committee to notify Mr Mullin of his Election Miss Bray, Whittington and Wright

On motion of Mr Armistead it was ordered that Mr Mullin be invited to address the General Assembly at its Convenience

On Motion of Mr Jno Nuss the Joint Assembly dissolved

The Senate preceded by its officers retired from the floor of the House

On Motion of Mr Dardon of Hempstead the House at 1¼ P.M. adjourned until Monday next at 9 o'Clock 27th inst

J. S. Brandon
Speaker

John G. Holland
Clerk

House of Representatives

Little Rock Arkansas
Monday January 27th 1879

The House met pursuant to adjournment at 9 o'clock A. M.

The clerk called the roll, the following members answered to their names Messrs Aiken, Barnett, Barton, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Brady, Brown of White, Brumpass, Burns, Curtis, Church, Coody, Creekmore, Cunningham, Davidson of Crittenden, Davidson of Izard, Dawson, Dickinson, Fetter, Fishback, Hixson, Fraser, Furbush, Gallaway, Fleming, Hinkle, Hall, Harrison, Holden, Hollifield, Hudson, Jamison, Jordan, Joyce, Kirk, Kent, King, Lee of Howard, Lee of Newton, Lowe, Mack, Maynard, Martin, McCormick, McCracken, McGaughey, Miller of Clark, Miller of Conway, Minor, Morris of Carroll, Morris of Stone, Murphy, Owen, Payne, Reed of Pulaski, Rhodes, Richardson, Rodgers, Sargent, Stanley, Stubbs, Tate, Thomas, Trimble, Walker of Polk, Walker of Washington, Wann, Washburn, Weir, Williams, and Mr Speaker

a quorum present

On motion of Mr Stanley Miss Brinkley and Britt were excused for absence

On further motion Miss Archer, Brown of Lee, Holmes, Lindsey, Lyon and Wright were excused

On motion of Mr Richardson Mr Hudson was granted indefinite Leave of absence on account of sickness

On motion of Mr Dawson of Izard Mr Maynard was granted leave of absence until Wednesday next the 29th inst

Revd Mr Watson offered prayer

Mr Barry gave notice to the House of the death of Mr Cyrus K. Holman the member

From Perry County

The Journal of last Saturday was read and corrected by erasing that part of it as relates to the adoption of the amendment made by the Select Committee to H.B. No 6. after which it was approved and signed by the Speaker and Clerk of the House.

Mr Fishback rose to a question of privilege and offered the following resolution

Whereas.

The Hon Mr Caulfield a member of this House from the County of Clay alleged upon the floor of the House, during the ballot for Senator that, a bribe had been offered to him, to influence his vote in the election of a United States Senator. and

Whereas; this if true, is a high breach of the privilege of the House which should be punished as it deserves - therefore

Resolved: That a Com, mittee of five be appointed by the Chair to in, vestigate the charge and report to the House" the result at their earliest possible moment.

On motion of Mr Hanly ~~that~~ action upon the resolution ~~be~~ was deferred ~~for the present and that it be made a special order to meet, on Tuesday at 10~~ 30 A. M.

Messrs Taylor, Moore and Burke answered to their names

Mr Barry moved that the Speaker appoint six pall bearers for the deceased member Mr C. K. Holman two of whom shall accompany the remains to Washington, Hempstead County, the place appointed for its last resting place

Which was adopted and

The Speaker appointed Messrs Barry, Rodgers, Weir, Fleming, Britt and Lee of Howard, the last two mentioned to accompany the remains to Washington

Mr Dawson moved that the Speaker appoint a Committee of five to draft suitable resolutions upon the death of our deceased member;

Which was agreed to and

The Speaker appointed Messrs Barry, Pindell Burke, Linnott and Durrum as such Committee

The Clerk was directed to notify the Senate of the death of Mr Holman and the adjournment of the House in consequence thereof

And at 10½ oclock A.M. the House on motion of Mr Barry adjourned until to morrow at 9½ oclock A.M.

John G. Holland
Clerk

J. F. Beardon
Speaker

House of Representatives

Little Rock Arkansas
Tuesday January 28th 1879

The House met pursuant to adjournment at 9:30 O'clock A. M.

The Clerk called the roll and the following members answered to their names:
Mess Archer, Askew, Barnett, Barton, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Braly, Brewer, Brinkley, Brown of Lee, Brown of White, Bumpass, Burke, Burns, Cattin, Clark, Conway, Coody, Creekmore, Cunningham, Davidson of Sharp, Davidson of Izard, Dawson, Denby, Dickinson, Felker, Fishback, Griffin, Fraser, Gillam, Greening, Hare, Harrison, Holden, Holifield, Holmes, Hudson, Jamison, Jordan, Joyner, Keith, Kemp, King, Lee of Newton, Lovelace, Love, Mack, Martin, McConnell, McCracken, McKinstry, Mellon of Clark, Miller of Conway, Minor, Moore, Morris of Carroll, Morris of Stone, Payne, Pindall, Grady, Quarles, Ryddick, Richardson, Roden, Rimmel, Stanley, Stubbs, Taylor, Tate, Thomas, Turner, Dyson, Wynne of Columbia, Warren of Washington, Warren, Washburn, Weir, Williams and Mr Speaker a quorum present.

On motion of Mr Quarles Mr Hanly was excused on account of sickness

On motion of Mr Jamison Mr Wright was excused on account of sickness

Mess Turbush, Murphy, and Orrin answered to their names

Rev Mr Dye the Chaplain offered prayer

Mr Clark presented invitation of Mr Cattin Superintendent of the Blind Institute, inviting the members of the House to visit that Institution and moved that the House in a body visit the institute on Thursday next at 3 Oclock P M

Mr Pindall moved an amendment that the invitation be referred to the Committee on State Charities and that they report to the House

and the House by a rising vote of 18 Ayes to 42 Nays refused to sustain the motion

Mr Burton moved to amend Mr Clark's motion by making it on Thursday next at 4 o'clock P.M. in place of this P.M.

which was agreed to

Mr Marsh of Columbia moved the following "I move, that in addition to the mileage and per diem due the late Hon A.H. Holman at his decease, that the Speaker and Clerk of this House be and they are hereby authorized to make and certify an account to his widow or order for his per diem for the remaining part of this Session

Mr Pickett called up resolution for the appointment of a Committee of five to investigate the charge of intended Bribery made by Mr Mansfield

Mr Barry moved an amendment to the resolution providing that the Committee investigate and report whether any bribe or bribes have been offered to any member or members of this House to influence their votes in the late Senatorial election and if so, by whom and to whom offered

Which was adopted

Mr Dunnagan moved that the resolution as last amended embowering the Committee to send for persons and papers

Which was agreed to

The question recurring on the Original resolution as amended

The ayes and noes being called for and ordered

The Clerk called the roll when the following members rated in the affirmative

Messrs Archer, Askew, Barnett, Barton, Barry, Black of Boone, Black of Randolph, Blackwood, Braly, Brinkley, Brown of Lee, Burke, Burns, Carter, Chick, Conway, Coody, Creekmore, Cummings, Davis of Sharp, Davidson of Ford, Dawson, Deadey, Dickinson, Dockery, Dobbs, Fraser, Furbush, Gilliam, Greening, Haden, Hartfield, Hudson, Jamison, Jordan, Joyner, Kemp, Laney, Lee of Martin, Linderman, Love, Mace, Martin

McConnell, McCracken, McMurtrey, Millen of Ormsby, Millen of Conway, Miller, Moore, Morris of Carroll, Morris of Storey, Murphy, Orr, Payne, Pinkerton, Priddy, Quilici, Rhoades, Richardson, Rodgers, Sinnott, Stanley, Stubbs, Watts, Taylor, Thompson, Vargas of Columbia, Vargas of Washington, Warren, Weir, Williams and Mr Speaker 35

In the negative Messrs Bobo, Brown of Mineral, Brown of Washoe, Bunkers, Dickerson, Harrison, Mack and Thomas

So the resolution was adopted

The Sergeant at Arms announced a message from the Senate

Mr Swasey the Assistant Secretary of the Senate read as follows

Senate Chamber January 28. 1879

Mr Speaker

I am instructed by the Senate to inform your honorable body of the passage of

A.B. No. 67 A.B. No 67. "An act for an act to amend Section One (1) of an act fixing the time for holding the Courts of Probate in each County of this State and defining the Jurisdiction thereof" and herewith transmit the same

Lou D. Kretschman

Secretary

On motion of Mr Millen of Clark Mr Stapp was invited to a seat upon the floor of the House

On motion of Mr Fraser leave of absence was granted Mr Millen of Conway.

Mr Stubbs presented a petition from citizens asking the General Assembly to pass the necessary laws to prevent the manufacture, sale & the giving away of alcoholic liquors

Which was referred to the Committee on Memorials

Mr Lorrdamilo presented a petition from citizen of Nevada asking that the General assembly provide the sale of Liquors & Co County the necessary laws prohibiting

Referred to the same Committee

Mr Lee of Martin presented a petition from citizens of Martin and Searcy Counties asking the passage of necessary laws prohibiting the manufacture & sale of Liquors &c

Referred to same Committee

Mr Coody moved that the Speaker appoint a Special Committee of five to whom petitions of the kind be referred, which was agreed to

H.J.M No. 2 Mr Burke introduced H.J.M No 2.

which was read the first time

On motion of Mr Barry the House by a rising vote of 57 ayes agreed for a Committee of five on Public Health to be appointed by the Speaker.

H.J.R No 14 Mr Burke introduced H.J.R. No 14

which was read the first time

Mr Coody from the Committee on Circuit & Justices Courts made the following Report

"Mr Speaker

H.B. No. 9. Your Committee to whom was referred H.B No 9. would report the same back to the House with the recommendation that the same do not pass

Mr Coody from the same Committee reported as follows

"Mr Speaker. Your Committee to

H.B. No 13 whom was referred H.B. No 13 would respectfully report the same back, recommending its passage

Also the following Mr Speaker.

Your Committee

H.B. No. 14 to whom was referred H.B. No 14, have Considered the same and regard its provisions as being, Contrary to the Constitution, which fixes the Salary of the regular Judges at a certain amount, which we submit cannot be reduced by payments to other parties. But believing that some legislation is necessary in order to protect the Expenditures of the State in regard to Special Judges, your Committee would respectfully report the following

as a substitute for said Bill

"Be it enacted by the General assembly of the State of Arkansas Sec 1. That Special Judges of Circuit Courts elected under the provisions of Sec 21. Art VII of the Constitution, shall not receive any Compensation, for their services as such Special Judges

Sec 2. Be it further enacted: That all Laws in Conflict herewith is repealed, and that this act be in force from its passage"

Mr Sinclair moves that it be referred back to the Committee on Circuit and Justices Courts

Mr Dishaeck moves to amend by referring the report to the Committee on the Judiciary which was adopted

Also the following

Mr Speaker

H.B. No. 18. Your Committee to whom was referred H.B. No 18. with the amendments, would respectfully report the same back and recommend that the same as amended do pass. Mr Sinclair on motion of Mr Tate it was ordered Engrossed and made Special order for to morrow at 10 Oclock A M

Also the following

Mr Speaker

H.B. No. 19 Your Committee to whom was referred H.B. No 19 would respectfully report the same back with a recommendation that the same do not pass

Also the following

Mr Speaker

H.B. No 26. Your Committee to whom was referred H.B. No 26 beg leave to report the same back to the House with the following amendment at the end of the second section to wit; "And upon the appellant executing bond with approved security in double the amount of the fine and cost, conditioned, that the appellant will prosecute his appeal without delay, and if on such an appeal the judgment of the Justice is affirmed, or if on trial a new judgment is given against appellant, he shall satisfy the judgment; or if his

appeal is dismissed, he shall satisfy the Judgment of the Justice, together with all costs, and that no appeal shall be allowed until the execution and approval of such bond"

Which amendment was read the first time

Mr Washburn moves that the rules be suspended and the amendment read a second time

Which was not agreed to

H.J.R. No 15 Mr Brooks introduced H.J.R. No 15.

Which was read the first time

H.J.R. No. 16 Mr Martin introduced H.J.R. No 16.

Which was read the first time

H.B. No 100 Mr Hudson introduced H.B. No 100. An act entitled "An act to tax the privileges of harnessing peddling and for other purposes"

Which was read the first time

H.B. No. 101. Also H.B. No 101. An act to amend "an act entitled "an act to regulate the proceedings in County Courts in cases of Bastardy and for other purposes

Which was read the first time

H.B. No. 102 Mr Jamison introduced H.B. No 102. A bill for an act to be Entitled An act regulating the Compensation of the Clerk of Storey County.

Which was read the first time

H.B. No 103 Mr Kemp introduced H.B. No 103. A bill to be Entitled "An act to make valid certain proceedings of the County Court of Grant County.

Which was read the first time

H.B. No 5. On motion of Mr Henry the rules were suspended H.B. No 5. was taken up and read the first time

And on further motion of Mr Brumbaca

the rules were dispended and S.B. No 5 was
read a second time.

Mr Wallis of Washington was granted leave of absence
to day

Mr Brady from the Special Committee appointed
to notify Hon J.N. Walker of his election as
United State Senator made the following Report
viz: That they have discharged that duty
and that the Hon J.N. Walker accepts the
trust confided to him and that he will address
the General assembly at their convenience

The Sergeant at Arms announced a Message
from the Senate

Mr Sutherly the Assistant
Secretary of the Senate read as follows

Senate Chamber
January 1879

I am instructed by the Senate to inform
your Honorable body that Hon J.M. Whit-
tington, W.C. Brady and J.C. Wright who were ap-
pointed by the Joint Session to notify Hon
J.N. Walker of his election to the U.S. Senate
have by consent of the Senate combined as
a Committee of arrangements and instructed
to notify Hon J.N. Walker that the General
Assembly will meet him to hear his address
on to morrow evening at 7½ Oclock and
herewith respectfully transmit the same
for your favorable consideration

Lou D. Kretschmar
Secretary

On Motion of Mr Brady the hour of 7:30 P.M. on to morrow
was fixed for the reading of the address to
be delivered by the Hon J.N. Walker and

On further motion the Committee was con-
tinued as a Committee on Arrangements

Mr Dickinson for Mr Lee of Howard intro-
duced S.B. No 104 A bill to be entitled
"An act to regulate the pay and mileage of Jurors
and Witnesses in Probate, County & Justices Courts"
Which was read the first time

Also

H.B. No. 105 — By the same Sir the same H.B. No 105 A bill to be Entitled "An act to extend the jurisdiction of Justices of the Peace"

which was on the first time

On motion of Mr Sinnott the Bill was rejected

H.B. No 106. — Mr Mack introduced H.B. No 106. "A bill to make appropriation to pay the funeral expenses of the late Hon C.S. Strahan"

which was read the first time

H.B. No 107 — Also H.B. No 107 A bill for an act to be entitled "An act to repeal Sec 46 44 of Gantts Digest and for other purposes"

which was read the first time

H.B. No 108 — Also H.B. No 108 A bill for an act to be Entitled "an act to protect the mid game in this State and to prevent the destruction of fish in the waters of this State"

which was read the first time

Mr McConnell moved a suspension of the rules

Mr McConnell introduced the following

"Resolved, That the Committee on the Judiciary are hereby requested to consider the propriety or expediency of the passage of a bill making adultery and fornication offences and prescribing punishment therefor and that said Committee report by bill or otherwise

On motion of Mr McConnell the Resolution was adopted

H.B. No 109 — Mr McCracken introduced H.B. No 109. A bill for an act ~~to be act~~ to be Entitled "An act to amend an act to redistrict the State for Congressional purposes" approved November 16th 1875

which was read the first time

H.B. No 110. — Also H.B. No 110 A bill for an act to be entitled an act to repeal Sections 2104, 2105, 2106, 2107 and 2108 of Gantts Digest and to provide the manner of taking appeals in Criminal cases to the Circuit Court"

Which was read the first time

On motion of Mr Barry Rev Dr Winfield was invited to a seat upon the floor of the House

And on further motion of Mr Cunningham Mr Walker was directed to conduct on the floor of the House

A.B. No. 111

Mr Miller of Clark introduced A.B. No 111. A bill to be entitled an act to attach the Territory of Clark County to the Counties of Wallas and Nevada and for other purposes" Which was read the first time

The Speaker announced the following Special Committees

On resolution of Mr Fishback investigating the charge of bribery Mess Fishback, Braly, Thomas, Black of Boone Mc Davidson of Sharp

On Temperance Mess Coody, Archer, Fleming, Kemp and McMurtrey

On Public Health Mess Barry, Jamison, Murphy, Bobo and Brown

On motion of Mr Archer the House at 12 15 P.M. took a recess until 2 O'clock P.M.

After Recess 2. P.M.

The Clerk called the roll the following men, who answered to their names Mess Archer, Asher, Burnett, Barton, Berry, Black of Boone, Black of Randolph, Blackwood, Bobo, Brewer, Brown of Lee, Brown of White, Bumpass, Burke, Burns, Curtis, Cheek, Conway, Coody, Creek, Moore, Davidson of Sharp, Davidson of Izard, Dorsey, Dickinson, Felton, Fishback, Fitzpatrick, Brown, Gilliam, Greening, Hare, Harris, Holden, Jordan, Joyner, Keith, Kemp, King, Lendermilk, Love, Meek, Martin, McConnell, McCracken, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Orear, Payne, Pitt, Pace, Priddy, Quarles, Rodgers, Stanley, Stubbs, Tate, Taylor, Thomas, Turner, Tyson, Walker of Columbia, Warren, Washburn, Weir, Williams and Mr Speaker a quorum present

N.B. No 112

Mr Miles of Cerray introduced N.B. No 112. An act to amend an act to amend Section Thirteen hundred and Fifty Seven (1357) of Gantts Digest Chapter Seventeen on Larceny" Approved January 28th 1875

Which was read the first time

N.B. No 113

Mr Moore introduced N.B. No 113 An act to provide an Insane Asylum

Which was read the first time

Mess Lee of Norton, Brown, Hensley, Emmett, Hall, Judd Jamison, McMurtrey, Hudson, and Richardson answered to their names.

N B No. 114

Mr Owen introduced N.B. No 114. A bill to be entitled "An act granting certain Lands of the State to the several Counties of this State wherein said Lands are situated and for other purposes"

Which was read the first time

N.B. No. 115

Mr Pindall introduced N.B. No 115. A bill to be an act entitled "an act to amend Sections 5098, 5099, 5100, 5102 And to repeal Sec 5103 of Gantts Digest

Which was read the first time

N.B. 116

Also N.B. No 116. A bill to be an act entitled An act to establish Separate Courts in Desha County

Which was read the first time

N B No 117

Mr. Rankin introduced N.B. No 117 A bill to be entitled "An act to reduce the expenses of Conducting the Criminal Courts in the State"

Which was read the first time

N.B. No 118

Also N.B. No. 118. A Bill "An act entitled An act to amend Section Forty one hundred and three "Chapter Eighty Seven (87) of Gantts Digest"

Which was read the first time

N B No. 119

Also N.B. No 119 A bill An act to amend the Law of Replevin in Arkansas

Which was read the first time

H.B. No. 120

Mr Riddick introduced H.B. No 120. An act to amend an act prescribing & defining the duties of Justices of the Peace in certain cases approved February 11th 1875

Which was read the first time

H.B. No. 121.

Mr Richardson introduced H.B. No 121 And act to be entitled "An act to repeal Section 57 of an act entitled an act to maintain a system of free common schools for the State of Arkansas and to provide for the Election of one Trustee in each School district in this State and for purposes therein"

Which was read the first time

H.B. No 122

Mr Dinnatt introduced H.B. No 122 An act to appropriate money to purchase Eighteen hundred copies of "The Arkansas Justice" for the use of Justices of the Peace of this State

Which was read the first time

H.B. No 123

Mr Stubbs introduced H.B. No 123 A bill for an act to be Entitled "An act to reduce the Salaries of the officers of the Executive, and Judicial Department of the State Government, to reduce the number of Salaried Clerks and Employees of the Same; to reduce the per diem of the Members of the General Assembly; to reduce the number and Salaries of Officers, Clerks and Employees of the Same and to abolish the offices of Adjutant General, Commissioner of State Lands, Superintendent of Public Instruction and the Chancellor and Clerk of the Pulaski Chancery Court

Which was read the first time

H.B No 124

Mr Stubbs introduced H.B. No 124 A bill for an act to be Entitled "An act to amend an act to regulate the licensing of Dram Shops and for other purposes" approved May 30th 1874

Which was read the first time

H.B No 125

Also H.B No 125 An act to be entitled an act to repeal Sec 6720 of the Revised Statutes of Arkansas

Which was read the first time

H B
No 126

Mr Durnin introduced H.B. No 126 "A bill to be entitled an act to more fully define the line dividing the Counties of Franklin and Madison

Which was read the first time

H B
No 127

Also H.B. No 127 A bill for an act to be entitled an act to amend Section Twenty nine hundred and Ninety one of Gayoso's Dig. est.

Which was read the first time

H B
No 128

Also H.B. No 128 A bill for an act to amend an act Entitled An act for the protection of Stock" approved March 6th 1875.

Which was read the first time

H B
No 129

Mr Mann of Calhoun introduced H.B. No 129. A bill to be entitled "An act to prevent the sale of ardent Spirits within the Corporate limits of Magnolia

Which was read the first time

H B
No 130

Also H.B. No 130 An act to repeal Sec 4 of an act to regulate the labor System approved March 6th 1875

Which was read the first time

H B
No. 131.

Also H.B. No 131. An act to amend an act Entitled an act to amend Sections 4, 7, 9, 11, 12, 13, 15, 19, 26, 29, 30, 31, 32 & 36 of an act to established Courts approved Feby 25. 1875

Which was read the first time

H B
No 132

Mr Mann introduced H.B. No 132 An act Entitled an act to abolish the Office of Commissioner of ~~Lands~~ State Lands and Superintendent of Public Instruction

Which was read the first time

H B
No 133

Mr Orr introduced H.B No 133 An act Entitled an act for the relief of the purchaser of the Warehouse Institute for the blind Situated in the City of Philadelphia Neshoba County,

Which was read the first time

H B
No 134

Also H.B No 134. a bill for Retrenchment & Reform

which was read the first time

HB
No 135

Mr Williams introduced H.B No 135. An act to amend the Road laws of this State and to give farmers an out against inclosures which was read the first time

Mr Williams moved that the rules be dispended and the Bill read a second time

Upon a vote of a division demonstrated the House by a vote of 39 in favor and 20 against refused to suspend the rules.

On motion of Mr Bray the House at 3 3/4 P.M. adjourned

John G. Holland
Clerk

J. J. Bearden
Speaker

House of Representatives

Little Rock Arkansas
Wednesday January 29. 1879

The House met pursuant to adjournment at 9:30 A. M

The Clerk called the roll, the following members answered to their names Messrs Archer, Barker, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Braly, Brewer, Brinkley, Brown of Lee, Brown of White, Bumpass, Burke, Burns, Carter, Cheek, Conway, Cooley, Creekmore, Davidson of Sharp, Davidson of Izard, Dewby, Dickinson, Dickson, Dishaeh, Dillspin, Fraser, Furbush, Gillam, Greening, Hanly, Hare, Harrison, Holden, Hoh, Hill, Hudson, Jamison, Jordan, Joyner, Kerk, Kent, King, Lee of Newton, Lowdermilk, Lowe, Mack, Martin, McConnell, McCracken, McMurtrey, Miller of Clark, Minor, Morris of Stone, Orew, Payne, Pindall, Priddy, Quarles, Riddick, Richardson, Roden, Simmons, Stanley, Stubbs, Tate, Taylor, Thomas, Turner, Tyson, Walker of Columbia, Walker of Washington, Wann, Washburn, Williams and Mr Speaker a Quorum Present

Messrs Miller of Conway, Moore, Morris of Carroll and Weir were excused on account of sickness

Revd A.R. Winfield offered prayer

The Clerk read the Journal of yesterday and the correction was made by showing that the Journal of the preceding day was read approved and signed by the Speaker and Clerk.

After which the Journal was approved and signed by the Speaker and Clerk of the House

Mr Walker of Washington moved that the regular order of business be dispensed with and that he be granted leave to introduce a bill

Which was agreed to

Mr Walker of Washington thereupon introduced H.B. No 136. An act to revise the State Board of Finance and raise means to support the State Government

H.B. No 136.

which was read the first time

On further motion the rules were suspended and the bill read a second time "in

Mr Walker of Washington moved a further suspension of the rules and that the bill be referred to the Committee on Ways and Means

which was agreed to.

Mr Coody moved to amend by referring it to the Committee of the Whole and be made Special Order for next Friday at 10^{30} o'clock A M

which was agreed to.

and

H.B. No. 137 Under a further suspension of the rules Mr Walker of Washington introduced H.B. No 137 "An act to provide Means for the Support of the State Government and Supply deficiencies in the Treasury"

which was read the first time

The rules were then suspended and the Bill read a second time

Mr Durbeck moved to amend Section one of the bill by striking out the provision for the time of assessment as July 1st 1879

Mr Brady moved that it be referred to the Committee on Ways and Means

which was agreed to

Mess Burrow and Murphy dissented to this motion

Mr Black of Randolph moved that the regular order of business be dispensed with and bills on second reading taken up.

Mr Babb moved a Substitute that H.B No 60 be taken up

The House by a vote of 26 in favor to 25 against refused to adopt the Substitute.

The question then recurred on the original motion of Mr Black of Randolph

which was adopted

The rules were then suspended and Bills on Second Reading taken up

The Speaker called Mr Stanley to the Chair

H.B. No 33 — H.B. No 33 was then taken up and read a Second time

On motion of Mr Barry the bill was referred to the Committee on Education

H.B. No 34 — H.B. No 34 was read a Second time and

On motion of Mr Warren it was referred to the Committee on Education.

H.B. No 35 — H.B. No 35. was read a Second time

Mr Furbush moved that the bill be so amended as to provide that Sheriffs be allowed 75 cents per day for each person confined instead of 35. cents

~~Which was agreed to~~

The amendment was then read the first time

Mr Furbush moved that the rules be suspended and the amendment read a second time

Which was accordingly done

On motion of Mr Pingree the bill was referred to the Committee On County and Probate Courts

Mr Morris of Carroll moved to his name

H.B. No 36 — H.B. No 36 was read a Second time and

On motion of Mr McConnell was referred to the Committee on Retrenchment

H.B. No 37 — H.B. No 37 was read a Second time and

On Motion of Mr Pingree was referred to the Committee on Railroads

On leave granted Mr Sims was removed a suspension of the rules and

H.B. No 115 H.B. No 115 was read a second time and referred to the same Committee

Mr Simpson asked and obtained indefinite leave of absence on account of sickness in his family

On motion of Mr Williams the House at 12 21 P.M. took a recess to 1 30 P.M.

After Recess
1 30 O'clock P.M.

The Clerk called the roll and the following Members answered to their names Messrs. Aiken, Barnett, Barley, Barry, Black of Boone Black of Randolph, Blackwood, Boko, Braly, Brewer, Brinkley, Brown of White, Burke, Burns, Carter, Cheek, Conway, Cody, Creek, Moore, Davidson of Sharp, Davidson of Izard, Garrison, Dewey, Dickinson, Felton, Gipson Fraser, Gilmore, Greening, Hare, Harrison, Hardin, Hoffman, Hudson, Jameson, Jordan, Joyner, Keith, Kemp, King, Lee of Pulaski, Lenderman, Lowe, Mack, Martin, McConnell, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Minor, Morris of Carroll, Morris of Stone, Owen, Payne, Pickens, Priddy, Quarles, Riddick, Richardson, Roebuck, Simmons, Stanley, Stubbs, Tate, Taylor, Turner, Tyson Walker of Columbia Walker of Washington, Warren, Washburn, Weir, Williams and Mr Speaker

a quorum present

Miss Stanley, Archer and Purbeck were excused for absence

Mr Fraser moved that Miss Stanley and Minor be added to the Committee on investigation under the resolution introduced by Mr Pickens

Mr Minor at his own request was excused

from Serving on said Committee

Mr Brinkley moved that Mr Bobo be substituted for Mr Minor Excused

Mr Barnes moved an amendment that Messrs Brewer and Greening be added to said Committee

Mr Fraser moved a substitute that Mr Barry be added to said Committee

On motion of Mr Barnes the House by a vote of 40 ayes to 28 nays tabled the entire subject matter

Mr Bonner moved that Mr Richardson be added to the Committee on Railroads which was not agreed to

The Clerk then proceeded with the business under the Suspension of the Rules and

H.J.R. No 5. was taken up and read a second time and on motion of Mr Hunson it was referred to the Committee on Retrenchment.

H.J.R. No. 6.

H.J.R. No. 6. was read a second time

Mr Jarnut moves to amend bill and insert the figures of 80 and 160 instead of 40 and 80 as in the bill then

On motion of Mr Cunningham the bill was referred to the Committee on the Judiciary.

H.B. No 39

H.B. No 39 was read a second time and on motion of Mr Barry was referred to the Committee on Cities and Towns

H.B. No 40.

H.B. No 40 was read a second time

Mr Durrett moved that rules be suspended and bill read a third time which was not agreed to

On motion of Mr Conway it was referred to the Committee on the Judiciary

H.B. No 41

H.B. No 41 was read a second time and On Motion of Mr Durbrow was referred to the Special Committee on Revenue Laws.

H.B No 42

H.B. No 42 was read a second time

Mr Brewer moves that it be referred to the Committee on the Judiciary

Mr Blackwood moves a substitute ~~to the same~~ by referring to the Committee on Circuit and Justices Courts.

Which was agreed to.

H.B. No 43

H.B. No 43 was read a second time

Mr Barnes moves to amend by inserting the words Certificate of the Dean of the Faculty instead of Diploma

Mr Stubbs moved a further amendment by providing that the practitioner who may be of three years standing, instead of ten years.

Mr Lee of Newton moved to table the bill and amendment

Which was lost

On motion of Mr Quarles the bill was referred to the Committee on Immigration

H.B. No 44

H.B. No 44 was read a second time and On Motion of Mr Gilman was made Special Order for to morrow at 10 ½ o'clock A.M.

On Motion of Mr Mucklo. Mr Levi Hecht was invited to a seat upon the floor of the House

Mr Prince asked and obtained leave to offer the following as an addition to rule No 31.

Be it Resolved

That rule 31, be amended and the following added thereto

Upon the first reading of the Bill, the Speaker shall state that it is ready for Commitment or amendment and if Committed to a Committee of the whole House the House shall determine on what day

Rule 32 shall be amended so as to read as follows.

Upon the second reading of a Bill the Speaker shall state that the Bill is now ready for Engrossment; and if the House shall then the Bill Engrossed, shall appoint a day when it shall be read a third time; and if not ordered Engrossed it shall be placed in the Journal file on the Clerks table to be taken up in order

H13
No 45

N.B. No 45 was taken up

Mr Richmond moves that it lie on the table for the present

Mr Barnett moves that the House now adjourn

The question was put and the House at 6 o'clock P.M. adjourned

John H. Holland
Clerk

J. D. Beaudin
Speaker

House of Representatives

Little Rock, Arkansas
Thursday January 30th 1879

The House met pursuant to adjournment at 9:30 Oclock A.M.

The clerk called the roll; the following members answered to their names.
Mess Archer, Askew, Barnett, Barton, Berry, Black of Boone, Black of Randolph, Blackwood, Bobo, Braly, Brewer, Brinkley, Brown of Lee, Brown of White, Burns, Curtis, Cheek, Conway, Cody, Crecmore, Cunningham, Davidson of Sharp, Davidson of Izard, Dewby, Dettmer, Dishbach, Dupwin, Draper, Gilliam, Greening, Haney, Hare, Harrison, Holder, Halliburton, Holmes, Hudson, Jamison, Jordan, Joyner, Keith, Kemp, King, Lee of Newton, Lockhart, Love, Mack, Martin, McCormick, McCracken, McCoy, Mantrey, Miller of Clark, Miller of Conway, Minor, Morris of Carroll, Morris of Stone, Murphy, Orrell, Payne, Priddy, Rankin Rivers, Richardson, Roden, Simmons, Stanley, Stubbs, Tate, Taylor, Turner, Tyson, Walker of Columbia, Walker of Washington, Warren, Washburn, Weir, Williams and Mr Speaker

a quorum present

Mess Dickinson, Moore, and Sims answered to their names

Reverend Mr Early offered prayer

The Journal of yesterdays proceeding was then read and there being no objection, it was approved and signed by the Speaker and Clerk of the House

On motion of Mr Taylor Mr Holmes was granted leave of absence

Mr Stubbs moved that the rules be suspended and bills on second reading taken up

The House by a vote of 21 ayes to 29 nays refused to suspend the rules.

Mr Brown of White presented a petition from citizens of White County asking legislation necessary to stop the manufacture and sale of liquor
Which was on motion referred to the Committee on Temperance

Mr Pinard presented a petition from citizens asking legislation and amendment of Schools laws
Which on motion was referred to Committee on Education

Mr Adams presents a petition from citizens asking passage of laws for the prevention of the Liquor Traffic
Which on motion was referred to Committee on Temperance

Mr Black of Sierra presented a petition from citizens, regarding the Liquor traffic
Which on motion was referred to the Same Committee

Mr Brinkley presented a memorial from Citizens in the Antelope Valley asking the granting of a charter to one Hagler for forty years to allow him the navigation of the Stream known as Bayou Meto
Which on motion was referred to the Committee on Memorials

Mr Coody presented a petition on Temperance
Which on motion was referred to Committee on Temperance

Mr Burbank answered to his name

Mr Lowdermilk presented a petition from the Mayor of Prescott, Nevada County asking the licensing of druggists for the sale of liquors
Which was referred to the Committee on Memorials

Mr Brown presented petition to tax druggists
Which on motion was referred to the Committee on Memorials

Mr Dickinson from the Committee on the Judiciary

made the following report

Mr Shearer

Your Committee to whom was referred H.B. No 6. "An act to require License of druggists" ask leave to report herewith a Substitute, entitled "An act to regulate the sale of any kind of ardent Spirits, Alcohol, Whisky, Malt or Vinous liquors by druggists and Apothecaries and for other purposes" with the recommendation that it (the Substitute) pass

H.B. No. 138 Subst. for H.B. No. 6

The Substitute being H.B No 138 was Read the first time

Mr Pindaco from the Committee on the Judiciary reported H.B. No 10 as follows

H.B. No. 10

"To the Hon the House of Representatives The Committee on Judiciary to whom was referred H.B. No 10. Entitled 'An act to regulate the sales of property under Mortgages and Deeds of Trust beg to report the same back, with a recommendation that it do not pass.

Said Committee further report that, while they do not approve of the principles of the Bill. Yet, if the House is disposed to take a different view of the Same and to consider it favorably, then they recommend an amendment to the first Section of the Bill which they return herewith"

and is as follows

"Provided— that if the property shall not sell at the first offering for two thirds of the amount of the appraisement, then, in case of personal property, another offering may be made sixty days thereafter, and in case of Real property, then, after offering may be made twelve months then, after, at which offering the Sale shall be to the highest bidder without reference to the appraisement

Which Amendment was read the first time

Mr Minor from the Committee on the Judiciary reported H.B. Nos 12 and 17 as follows

H. Bs. Nos. 12 & 17

Mr Speaker

The Committee on Judiciary have had under consideration of H.B No 12 entitled "An act

to repeal so much of an act as creates Courts of Common Pleas in Conway County and H.B. No 17. Entitled "A bill for an act to be Entitled "An act abolishing the Court of Common Pleas of Jackson County and disposing of all actions & Proceedings pending therein" and have directed that said bills, be returned to this House with recommend Sundry amendments to H.B. No 17. as follows.

1st Amendment

The Committee on Judiciary recommend that H.B No 17. be amended, by striking out the words "Jackson County" wherever the same occur, and inserting in lieu thereof the words "Counties of Conway and Jackson"

2d Amendment

The committee on Judiciary recommend, that H.B. No 17. be amended by striking out the word "said" in the 2d section on 2d line from the bottom of 1st page and inserting in lieu thereof the words "the proper"

3d Amendment

The Committee on Judiciary recommend that H.B. No 17. be amended, by inserting after the word "Court" in the first line of Sec 4. the words "of the respective Counties aforesaid" and by inserting after the word "Pleas" in the 3d line of said section, the words "of such County."

4th Amendment

The Committee on Judiciary recommend that H.B. No 17. be amended by striking out the words "said County" in the 2d line of Sec. 6. and inserting in lieu thereof, the words "the Counties aforesaid" And by inserting after the word "Court" in the 3d line of said section the words "of the County, wherein the Court of Comm on Pleas is not established"

The Committee on Judiciary further recommend that H.B. No 17. together with the amendments therein before proposed, be received and adopted as a substitute for H.B. No 12. and that H.B. No. 17. with the proposed amendments pass

Mr Bonner from the Committee on Insane Asylum reported as follows

Mr Speaker

H. J. No. 1. No. 1.

Your Committee to whom was referred H. J. No. 1. beg leave to report that they have had the same under consideration and recommend the following amendment, Strike out "four acres" and insert "Twenty acres"

Which was read the first time and On motion of Mr Taylor the rules were suspended and the amendment read a second time and made Special order for Monday next at 10:30 Oclock A. M.

H. Bs. Nos. 1, 18 & 88

Mr Brady from Committee on Engrossing reported House bills Nos 1, 18 and 88 Correctly engrossed

On motion of Mr Craig the rules were suspended and Senate Bill No. 6. taken up

Mr Shippin moved that S.B. No 6 be read a third time and placed upon its final passage

Which was agreed to

S. B. No. 5

S. B. No. 5. was then read a third time

The question then being Shall the bill pass the Clerk called the roll, when the following members voted in the affirmative: Messrs Askew, Barton, Berry, Black of Bourbon, Black of Randolph, Blackwood, Boles, Brady, Brewer, Brinkley, Brown of Lee, Brown of White, Bruce, Burns, Curtis, Cinch, Conway, Coody, Creekmore, Cunningham, Harrison of Shirk, Harrison of Izard, Hendley, Hickinson, Jeffrey, Fishback, Shippin, Fraser, Fairbank, Gilyard, Greening, Handy, Howe, Harrison, Holden, Hairfield, Holmes, Hudson, Jordan, Keith, Kemp, King, Lee of Martin, Leonard, Love, Mack, Martin, McConnell, McCracken, Mrs Murtrey, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Cassady, Morris of Stone, Payne, Pindall, Edwards, Riddick, Rodgers, Sinnatt, Stanley, Stubbs, Tate, Taylor, Terry, Tyson, Thacker of Columbia, Thacker of Washington, Warren, Washburn, Wren, Wilkins and Mr Speaker 76.

In the affirmative 76.
In the negative None
Absent and not voting 24.
Total 100

So the bill passed

The Sergeant at Arms announced a Message from the Senate

Mr Zachary the Asst Secty of the Senate appeared within the bar of the House and read as follows: "Senate Chamber Jany 30. 1879

Mr Speaker

I am instructed by the Senate to inform your Honorable body of the passage of S.C.R. No 2. making a Joint Committee of the Committees of Education of both Houses to Consider the repealing act establishing a permanent system of Free Common Schools and herewith respectfully transmit the same for your favorable Consideration

S.C.R. No. 2

Also the following

Senate Chamber
January 30." 1879

Mr Speaker

I am instructed by the Senate to inform your Honorable body of the adoption of the following Resolution"

"Resolved by the Senate the House of Representatives Concurring, that a Committee of Five be appointed, Consisting of Two from the Senate and three from the House of Representatives, to visit the Industrial University and investigate the Condition and Management, and to report to this General Assembly what appropriation should be made, for its support for the next ensuing two years" And herewith respectfully transmit the same for your favorable Consideration

Lon O. Ketchum
Secretary

Mr Mason of Washington moved that the rules be suspended and the resolution adopted and that the Speaker appoint a Committee of three as provided by the Resolution.

Mr Bobo moved the previous question which was sustained

The question being then upon the adoption of the Resolution

It was adopted

H.B. No 44 H.B. No 44 being placed order for to day at 10 30 A.M. was taken up

Mr Dayton moved that it be read a third time

Mr McCowen moved that it be referred to the Committee on the Judiciary

Mr Burlew moved the previous question which was sustained

The question then being upon the reference of H.B. No 44 to Judiciary Committee which was adopted

Mr Fishback introduced the following Resolution

Whereas, The Bonds of the State, known as "Railroad Aid Bonds" and "Levee Bonds" have been decided to be illegal and void by the Supreme Court of the State, and the facts as seen as the law upon which their decisions rest are easily accessible and

Whereas, The Numbers of the Bonds known as "Scattered Bonds" can be ascertained from the books of the Treasurer of the State within Twenty minutes; and

Whereas, The Character of these Bonds have been the subject of discussion and investigation for several years and by several Legislative bodies; Which they involve Twelve Millions of the people money and their payment involves the further prosperity of the State and

Whereas, The Judiciary Committee to whom they have been referred have had them under their consideration for one Ninety days: Therefor

Resolved: That the Judiciary Committee be and they are hereby Directed to report House Joint Resolution No 1. (which provides for submitting to the people a Constitutional Amendment forbidding any Legislature to pay these Bonds) back to the House for such action as it may be proper on Saturday the 2nd prox at 10 Oclock A.M.

Mr Dishlack moved the previous question which was sustained

The question then being upon the adoption of the Resolution

The Clerk called the roll when the following members rose in the affirmative Messrs. Crohn, Ashley, Black of Boone, Brady, Brewer, Brown of Lee, Brown of Mills, Carter, Chick, Coady, Cushman, Dennis, Felton, Dishlack, Fraser, Furbush, Gilman, Harrison, Holden, Jameson, Keith, Kimball, King, Lee of Morton, Lorrain, Lowe, Mack, McConnell, McCracken, Mayo of Amory, Moore, Morris of Carroll, Orrin, Rockwood, Sato, Sawyer, Simmons, Walker of Washington, Manning, Washburn, and Weed, Williams 44.

The following members voted in the negative. Barnett, Barry, Black of Randolph, Black of Wood, Bobo, Brinkley, Burke, Burns, Conroy, Cunningham, Davidson of Hinds, Davidson of Leflore, Dickinson, Dripps, Greening, Hanley, Hare, Horsfield, Holmes, Jackson, Jordan, Joyner, Martin, McMurtrey, Mills of Clark, Minor, Morris of Stone, Murphy, Payne, Pinson, Priddy, Quarles, Riddick, Richardson, Sinnott, Stubbs, Swan, Walker of Columbus and Mr Speaker 40.

Mr Burns who had voted aye changed his vote and voted nay.

So the Resolution was adopted

Mr Sato moved that rules be suspended and that H.B. No 18 be taken up

H.B. No 18.

Which was agreed to

Mr Sato moved that the Bill be read a third time and placed upon its passage

Which was agreed to

The bill was then read a third time.

The question then being upon the passage of H.B. No 18.

The Clerk called the roll

The following members voted in the affirmative Messrs Archer, Ashley, Barnett, Burns

Barry, Black of Bogue, Black of Randolph, Blackwood, Bobo, Brady, Brewer, Brown of Mitc, Burke, Burns, Curtis, Cheek, Conway, Coody, Creekmore, Cunningham, Davidson of Chatt, Davidson of Yard, Dawson, Dewey, Dickinson, Felton, Fishback, Flippin, Fraser, Furlough, Gilliam, Hardy, Hare, Holden, Holifield, Holmes, Howell, Jameson, Jordan, Joyner, Kemp, King, Lee of Hancock, Lindsey, Love, Mack, Martin, McCommell, McCracken, McPherson, Miller of Clark, Midway Conway, Minor, Morris of Carroll, Morris of Stone, Murphy, O'Neal, Payne, Pittman, Priddy, Rich, Roberson, Sinnett, Stanley, Stubbs, Tate, Snyder, Turner, Tyson, Walker of Columbia, Walker of Washington, Washburn, Williams and Mr Speaker 94.

In the affirmative 94
In the Negative none
Absent and not voting 18 So the Bill passed

On motion of Mr Blackwood Mr Lee of Hancock was granted leave of absence until Thursday next

H.B. No. 88. On motion of Mr Washburn the rules were suspended and H.B. No 88 taken up.

Mr McCommell moved that the Bill be read a third time and placed upon its passage

which was agreed to.

The Bill was then read a third time.

The question being Shall the Bill pass.

The Ayes and the Noes

The following Members voted in the affirmative Messrs Archer, Arthur, Barnett, Burton, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Brewer, Brady, Brown of Mitc, Burke, Burns, Curtis, Cheek, Conway Coody, Creekmore, Cunningham, Davidson of Chatt, Davidson of Yard, Dawson, Dewey, Dickinson, Felton, Fishback, Flippin, Fraser, Furlough

Gilliam, Hanes, Hare, Holden, Warfield, Holmes, Hudson, Jameson, Jordan, Jordan, Kemp, King, Lindsay, Mack, Martin, McConnell, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Minor, Morris of Carroll, Morris of Stone, Murphy, Orrey, Payne, Pindall, Priddy, Riddick, Sinclair, Stanley, Stubbs, Tate, Taylor Turner, Tyson, Walker of Columbia, Warner, Washburn, Williams and Mr Speaker 71.

In the affirmative 71
In the Negative nine
absent and not voting 21 So the
Bill passed.

Mr Archer moved that the place of the Hon O.K. Holman on the Committee on Elections and Privileges be supplied -

Mr Conway moved an amendment that the Speaker fill all vacancies in Committees occasioned by the death of the Hon O.K. Holman

which was agreed to

Mr Pindall was granted leave to call up resolution Authority rule 81 of 52 of the House of Representatives

Mr Stubbs moved to amend so much of the resolution as refers to rule 82 by providing that when the bill comes back to the House from the Committee, the Speaker shall again announce that the Bill is now ready for amendment &c

Mr Brewer moved that the entire subject matter lie on the Table

which was agreed to

On motion of Mr Dupuy Mr McCracken was granted leave of absence until Thursday next

On motion of Mr Brooks the House of Representatives was then adjourned Sat. Monday at 10 o'clock A.M. next after the publication of Lecture

Mr McConnico moved that the House take a recess until 2 O'clock P.M.

Mr Brady moved that the House adjourn. The question was put and the House at 12 25 P.M. adjourned

John G. Holland
Clerk

J. J. Reardon
Speaker

House of Representatives

Little Rock, Arkansas
Friday January 31st 1879

The House met pursuant to adjournment at 9 o'clock A. M.

The clerk called the roll; the following members answered to their names:

Mess Archer, Askew, Barton, Berry, Black of Boone, Black of Randolph, Blackwood, Bobo, Braly, Brewer, Brinkley, Brown of Lee, Brown of White, Burns, Carter, Cheek, Conway, Coody, Cradmore, Cummingham, Davidson of Izard, Davidson of Izard, Dunbar, Dickinson, Feltner, Fishback, Fitzpatrick, Fraser, Fairbank, Gillam, Greening, Hanley, Hare, Harrison, Holder, Hairfield, Holmes, Hudson, Jordan, Keith, Kemp, King, Lardinois, Lane, Mack, Martin, McConnell, McGarrity, Miller of Clark, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Owen, Priddy, Rawles, Riddick, Richardson, Rodgers, Sinnott, Stanley, Stubbs, Tate, Taylor, Thomas, Turner, Tyson, Walker of Columbia, Walker of Washington, Warren, Weir, Williams and Mr Speaker

a Quorum present.

On motion of Mr Conway Mr Jamison was excused on account of sickness

On motion of Mr Fraser Mr. Miller of Conway was excused on account of sickness

On motion of Mr Priddy Mr. Washburn was excused

Rev. Mr Dye the Chaplain of the House offers prayer

Mess Berry, Sundale and Payne answered to their names

The Journal of yesterday was read and corrected so as to show the Reading of H.B No 244 a third time, after which it was approved and signed by the Speaker and Clerk of the House

The Speaker appointed Mess. Stubbs, Berry and Walker of Columbia as part of the Joint Committee

to visit the Arkansas Industrial University authorized by Senate Concurrent Resolution, in the part of the House

Mr Quinn was appointed on the Committee on Cities and Towns to fill vacancy occassioned by the death of the Hon O.K. Holman

Mr. Fishback presented a Resolution adopted by the Council of the City of Fort Smith instructing their Senator and Representatives in the General Assembly to urge the necessity of an Insane Asylum, and to make suitable arrangements with a neighboring State or States for the keeping of the Insane in this State

Which was referred to the Committee on Insane Asylum

Also Resolution adopted by the Council of the City of Fort Smith asking the amendment of the Incorporation laws

Which on motion, was referred to Committee on Cities and Towns

H.J.M. No 3. Mr Burke presented H.J.M. No 3. "To the United States Congress recommending the passage of the Texas Pacific Railway Bill

Which was read the first time

And on further motion the rules were suspended and H.J.M. No 3 read a second time

On motion of Mr Burke it was referred to the Committee on Federal Relations

Mr Hare asks leave to move for a suspension of the rules for the purpose of introducing a bill

Which was not agreed to

Mr Stubbs offers the following Resolution

Whereas, the State of Arkansas is and has been for many years sorely depressed financially, whereby her material prosperity and advancement have been hindered and her varied industries become languished and well nigh stagnant, and

The Agricultural Class — which largely predominates in the State and upon which the prosperity of all other classes depends — has for the last few years realized almost nothing for their labor by reason of the low value of all products of the soil, and

Whereas, In times like these, it is the duty of the public representatives to give to the people all the protection and relief consistent with public safety, by a wise, judicious and economical administration of all the departments of the State Government and

Whereas, Many of the Counties of the State are heavily in debt and now paying or trying to pay their indebtedness by taxation and in some instances the taxes levied by U.S. Marshals and many others are bankrupt and now demanding, through their Representatives, that they be abolished and

Whereas, There are only two ways to extricate the State from its present financial condition viz: To increase taxation or to reduce the expenses of the machinery of government and

Whereas, The first of these alternatives is unwise, inexpedient and would most surely impoverish the people now strained to the utmost to meet the demands of the State, County, Municipal Government, therefore

Be it Resolved That it is the sense of the House of Representatives that the salaries of all the officers of the Executive, Legislative and Judicial departments should be reduced, that the number and pay of the Clerks and the Contingent Expenses of the various departments should be decreased; and that the offices of Adjutant General, Commissioner of State Lands, Superintendent of Public Instruction and Chancellor and Clerk of the Supreme Chancery Court may be abolished without material injury to the welfare of the State.

Mr Stubbs moves that the Resolution be adopted

Mr Dabo moves that it be tabled

Mr Stubbs called for the ayes and noes which was sustained

The question being upon the motion to lay Resolution on the table

The Clerk called the roll the following named members rated in the affirmative Messrs Barnes, Barnes, Barry, Blackwood, Bobo, Brady Brewer, Brown of Lee, Burke, Cumming Cunningham, Fraser, Fairbank, Greenidge, Hanby, Hare, Holmes, Love, Mann of Clark, Morris of Stone, Murphy, Payne, Pindell, Priddy, Quarles, Richardson, Simmons, Snyder & Mr Speaker 50.

In the negative Messrs Allen, Black of Boone, Black of Randolph, Brown of Mitchell, Burns, Curtis, Chenoweth, Coady, Creekmore, Davidson of Hunt, Davidson of Laurel, Denney, Detwiler, Fishback, Hippen, Hillman, Harrison, Holden, Hounfield, Hudson, Jackson, Joyce, Keith, Kemp, Craig, Kerr dimuck, Rhodes, Martin, McDowell, McMurtry, Nunn, Norris, Norris of Carroll, Overly, Riddell, Roden, Stanley, Stubbs, Tate, Thomas, Turner, Tyson, Walker of Columbia, Walker of Washington, Warren, Weir and Wells, Williams 49

So the affirmative 50
So the negative 49. So the motion to table was lost

On motion of Mr Fishback the Resolution was referred to the Committee on Ways and Means.

Mr Dickinson introduced H.J.R. No 17.

which was read the first time

H.B. No. 136

The Hour of 10:30 A.M. having arrived The Speaker announced that H.B. No 136 being Special order for that hour. The House went into a Committee of the whole The Speaker called Mr Fishback to the Chair

After a short time spent in Committee of the whole the Speaker resumes the chair The Committee rose and through its Chairman Mr Fishback Reports H.B No 136 back to the House recommending

its passage with the following Amendment
Amend Section 2 by inserting the following.
Provided that in case the said Board shall think it necessary for one or more of them to visit any one or more of the great money Centers of the Country to enable them to accomplish the objects of this act, the person or persons so visiting such money centers shall be entitled to be reimbursed in his or their Expenses to be paid out of the Contingent fund of the Executive department.

Which was read the first time and adopted and ordered &c &c

On motion of Mr Walker of Washington the rules were suspended and the Amendment read a second time

moved that
Mr Stubbs the bill as amended be ordered Engrossed and made Special order for to morrow at 10 30 Oclock am

Mr Stanley moved to amend by making it Special order for Monday or Tuesday and that 150 Copies be printed

Which was not agreed to

The question occurring then on the motion of Mr Stubbs

It was adopted.

Mr McConnell moved that rules be suspended
H.J.R. No. 1. and that H.J.R. No 1. be taken up

Which was not agreed to

On Motion of Mr Williams Mr McConnell was granted leave of absence for Monday ~~Tuesday~~ Tuesday next

Fishback Resolution

Mr Fishback offers the following Resolution;

"Whereas, From a Report made by the Auditor of State, to the last General Assembly, it appears that the expenses of the State Government (on account of ordinary purposes) for the two years and a half, ending Oct 1st 1866, amounted in round numbers to about $67,000. per annum, while in 1876 they

amounted to $328.000. or nearly five times as much.
That while the work of both the Land Commissioner and the Auditor, was done by the Auditor, there were paid on account of Clerk hire, for that office, for the two years of 1858 and 1859, a little upwards of $3.000. while for the years 1875 and 1876. there were paid on the same account to the two offices about $26.000 or eight times as much.
That in the Treasurers office for the years 1858 & 9. there were paid on account of Clerk hire $800. while for 1875 & 6. there were paid on the same account $10.781.38. or thirteen times as much.
That prior to Reconstruction the Secretary of State did the work of his office; without any Clerk; while in 1875 & 6. there were paid for Clerk hire to that office $10,474.06. upwards of ten thousand times as much. That in 1858. there was paid for a private secty to the Governor the sum of $500. while in 1875 & 6. there were paid annually $1500. or three times as much.
That prior to the darkest days of Reconstruction there was paid nothing for an Adjutant Genl while now we pay to that officer annually $2400.
That there was paid for indexing our Constitution in 1876. the sum of $21.851.75. or upwards of seven hundred dollars more than the same report shows to have been paid for printing, binding etc. Gantts Digest - and
Whereas, The fees of some of the County officials are now nearly double what they were prior to Reconstruction, rendering the County taxes even more onerous than those of the State, while the revenues of many counties being insufficient to meet these expenditures. County debts are accumulating with fearful rapidity; and
Whereas, The state of Arkansas, while it shows such solicitous concern for its officers and employes, & has yet provided absolutely no protection for that most helpless class of her citizens - her Lunatic and Insane - but has left and still leaves them to the filth and vermin and neglect of the common jail in a manner at once cruel and disgraceful. this too in a christian country, in the 19th century; and in the light of a civilization whose very brilliancy serves but to illumine the dis-

grace: Therefore,
Be it Resolved, That the Committee on Ways and Means are hereby instructed to examine into the necessity of these, and all other expenditures of the peoples money, and to report what can be dispensed with, without detriment to the public service.
Resolved 2nd That the same committee inquire whether there cannot be enough of extravagent expenditures curtailed to enable the state to erect and operate an Insane Asylum without an increase of taxation.
Resolved 3rd That, in making their annual Report upon the appropriations necessary for the expenses of the state, the committee shall leave out every item not absolutely essential to the exigencies of the public service.

Mr Stanley moved that the Resolution be so amended by striking out "on Ways and Means" and inserting "Retrenchment" in lieu thereof.

Which was not agreed to.

The question then recurring on the original proposition to refer to Committee on Ways and Means.

The same was agreed to.

HB No 1 On motion of Mr Purnell, the rules were suspended, and, House Bill No 1. taken up.
And,
On further motion,
The Bill was read the third time.

The question then being,
Shall the Bill pass?
The Clerk called the roll, when the following members voted in the affirmative.
Messrs. Archer, Bakewell, Barnett, Barker, Barry, Black of Boone, Black of Randolph, Blackwood, Babb, Brady, Brewer, Brown of Dee, Brown of White, Burke, Burns, Carter, Chuck, Conway, Coody, Creekmore, Cunningham, Davidson of Shasta, Davidson of Tehama, Denby, Dickinson, Felton, Fitch, Griffin, Fraser, Furnish, Gillam.

Hardy, Hare, Harrison, Holden, Holifield Holmes, Hudson, Jordan, Joyner, Keith, Kemp, King, Lowdermilk, Lowe, Mack, Martin, McConnell, McMurtrey, Miller of Clark, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Owen, Payne, Pindall, Priddy, Riddick, Richardson, Roden, Swinatt, Stanley Stubbs, Tate, Taylor, Thomas, Turner, Tyson Walker of Columbia, Warner, Weir, Williams and Mr Speaker. 75.

Mr Brinkley voted in the negative. 1

In the affirmative 75.
In the negative 1.
Absent and not voting 16
92.

So the bill passed.

Mr Barker introduced the following Resolution:

"Resolved, that the Honorable Board of Trustees of the Penitentiary, be requested by the Clerk, to furnish this Body with the quarterly Reports of the Penitentiary Physician for the year 1878. or any other information that they may have, showing the management control and treatment of the Prisoners of that Institution.

Which was adopted.

Resolved, That the papers in the contested case of Cubage against Denby, of Montgomery county, be referred to Committee on Elections."

Which was adopted.

"Resolved, That Dr H Barry of Garland, be added to the Committee on "Penitentiary".

Which was adopted.

"Resolved, That Dr H A Richardson of Calhoun, be added to the Committee on Railroads.

Which was adopted.

On motion of Mr Hardy.

The rules were suspended, and Senate Concurrent Resolution No 1.

Taken up and adopted.

Under a suspension of the Rules,
On motion of Mr Stubbs,
House Bill No 89. was taken up,
And read the second time. and,

On motion of Mr Pindall, it was referred to the Committee on Judiciary.

Mr Burke moved to adjourn,
And,
the question being put.
The House at 1:15 Oclock P.M.
Adjourned.

J. T. Bearden
Speaker

John G. Holland
Clerk

House of Representatives

Little Rock Arkansas
Saturday February 8th 1879

The House met pursuant to adjournment at 9 3o Oclock A. M.

The Clerk called the roll. The following members answered to their names Messrs Archer, Askew, Barnett, Barton, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Brady, Brewer, Brindley, Brown of Lee, Brown of White, Byrne, Byrnes, Carter, Cheek, Conway, Coody, Cunningham, Davidson of Sharp, Davidson of Izard, Dawson, Dewey, Dickinson, Dotson, Fishback, Flippin, Frazer, Furbush, Gibson, Greenway, Hanly, Hare, Harrison, Holden, Holifield, Holmes, Hudson, Jamison, Jordan, Joyner, Keith, Kemp, King, Lendennie, Love, Masterson, McConnell, McMurtrey, Millwee, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Owen, Payne, Purdue, Priddy, Rawls, Riddick, Richardson, Roden, Sennett, Stanley, Stubbs, Tate, Tayler, Turner, Tyson, Vance of Columbia, Wallis of Washington, Warren, Washburn, Weir, Williams and Mr Speaker

a quorum present

Revd Mr. Dye the Chaplain of the House offered prayer

The Clerk read the Journal of yesterdays proceedings and there being no objection the same was approved and signed by the Speaker and Clerk of the House

Messrs Thomas and Mack answered to their names

The Speaker announced the following as a Committee on the part of the House to consider amendments to the Constitution

Messrs Fishback, Hanly, Coody, Bobo and Conway.

The Sergeant at Arms announced a Message from the Senate.

Mr Zachary the Assistant Secretary of the Senate appeared within the

ken of the House and read as follows.

Senate Chamber
February 1st 1879

Mr Speaker

I am instructed by the Senate to inform your honorable body of the passage of S.B. No 33. Substitute for S.B. No 18. "A Bill for the preservation of Fish"

S.B. No 33.

also

S.B. No 46. An act entitled "An act to amend Section 2. of an act to regulate the Labor system" Approved March 6th 1875. and to enact to transmit the same for your concurrence.

Lou D. Fretchmin
Secretary

On motion of Mr Stubbs S.C.R. No 2 was taken up Read and adopted

On motion of Mr McConnell S.J.R. No. 1. was taken up.

And on further motion the amendment was adopted and ordered engrossed)

On motion of Mr Dickinson the rules were suspended and leave granted to the Committee on Counties and County lines to report S.B. No 28.

S.B. No 28

Mr Gate from the Committee reported as follows

Mr Speaker

Your Committee on Counties and County lines have had under consideration S.B. No 28 entitled "An act to change the boundary line between the Counties of Churchill and Lyon" have to report the same back and respectfully recommend that it do pass

On further suspension of the rules Mr Dickinson moved that bill be read a third time and placed upon its passage

Which was agreed to.

The bill was then read a third time

The question being upon the passage of N.B. No. 28

The Clerk called the roll

When the following members voted in the affirmative Mess Archer, Asher, Barnes, Barlow, Barry, Black of Boone, Black of Ransdell, Blackwood, Bobo, Braly, Brinkley, Brown of Lee, Brown of White, Bruce, Byrns, Carter, Chiles, Conrey, Cody, Cunningham, Davidson of Knox, Davidson of Gallatin, Denby, Dickinson, Felter, Fishback, Hopkins, Fraser, Furbush, Gillam, Greenup, Haines, Hare, Harrison, Holden, Holifield, Holmes, Hudson, Jordan, Joyner, Keith, Kemp, King, Love, Mack, Martin, McConnell, McMurtrey, Miller, Moore, Morris of Carroll, Morris of Stone, Orren, Payne, Priddy, Quarles, Riddick, Robinson, Rodes, Sinnott, Stanley, Stubbs, Tate, Taylor, Thomas, Turner, Upton, Walker of Columbia, Mann Washburn, Weir, Williams and Mr Speaker 75

In the affirmative 75
In the negative None
Absent and Not voting 17

So the Bill passed

On motion of Mr Moore the rules were suspended and N.B. No 123 was taken up and

N.B. No. 123

Read a second time and on motion of Mr Barry it was referred to the Committee on Retrenchment

Under a suspension of the rules on motion of Mr Barry

N.B. No 106.

N.B. No 106 was read a second time and on motion of Mr Keith it was referred to the Committee of the whole and made special order for Monday next at 11. Oclock A. M.

By unanimous consent leave was granted Mr Washburn to call up

N.B. No 26

N.B. No 26. and

On motion of Mr Washburn

the rules were suspended and the amendment
read a second time

Mr Brown from the Committee on Engrossed Bills
was granted leave and reported
N.B. No 136 H.B. No 136 Correctly Engrossed

On motion of Mr Barry leave of absence
was granted Mr Beverley until Wednesday
next.

The Hour of 10 50 A. M. having arrived
N.B. The Speaker announced that H.B. No 136
No 136 ~~was~~ Special order for that hour.
On motion of
Mr Brown of Washington the Bill was read
a third time

Mr Fisher moved that further action
be postponed until Monday next at
11 O'clock A. M.

Mr Archer moved to substitute Friday
for Monday next at 11 O'clock A M
which was carried to

The question recurring upon the motion
Upon a division called for which Resulted
the House by a rising vote Refused
the motion

Mr McComas from the Committee on Enr.
rolled Bills was granted leave to report
N.B. No. 67 which is as follows
No 67

Mr Speaker

Your Committee on Enrolled
Bills, have the honor to report that we
have examined H.B. No 67 and find the
same correctly enrolled; and the same
has been signed by the Speaker of the
House and by the President of the Senate
and delivered to His Excellency the Governor
for his Consideration. this the 1st day of
February 1874.

On motion of Mr Burke Leave of
N.B. 136 H.B. No 136 was ordered printed.

H.B. 63. Ord on motion of Mr Inman 200 copies of H.B. No 63 were ordered printed.

Mr Dale presented a Petition from Citizens of Baxter County and on his motion it was referred to the Joint Committee on Constitutional Amendments.

On motion of Mr Warren the rules were suspended, and Bills on Second Reading taken up.

H.B. No 45 H.B. No 45 was read a second time

Mr Pris also moved the following Amendment Amend Sec 2. by adding after the words "South of Cypress Creek" the words "and East of West bank of Boggy Bayou"

Which Amendment was read the first time and

On further motion the rules were suspended and Amendment read a second time and adopted

On motion of Mr Barnes the Bill was referred to the Committee on Internal Improvements

Mr Barnett moved a suspension of the rules which was agreed to and moved that a Special Committee of three be appointed by the Speaker for the purpose of conferring with the Governor, Auditor and Treasurer to ascertain whether the money proposed to be borrowed under H.B. No 136 can be raised under the present Revenue Law

Which was agreed to.

The Speaker appointed as such Committee Messrs Barnett, Inman and Black of Ramsdell

On motion the use of the Hall of the House of Representatives was extended to the Y.M.C.A. on to morrow.

Mr Bobo was granted leave and offered the following Resolution

Resolved, That the Committee on Ways and Means be instructed to investigate and report to this House by Tuesday morning next, how much, if any, the State indebtedness has been increased by the operations of an act approved December 2nd 1879. and the aggregate amount of interest that has been paid by the State on bonds or indebtedness created under said act. And if all the bonds hypothecated have been redeemed and the rate of interest paid

Which was adopted

NB No. 46 H. B. No 46 was read a second time

Mr Stubbs moved that it be referred to the Committee on Agriculture

Mr Barry moved an amendment to strike out Agriculture and insert Ways and Means

Which was agreed to.

Mr Thomas who has been heretofore appointed on the Special Committee under the resolution of Mr Brumpus was at his own request excused from serving on said Committee.

NB No 47 H. B. No 47 was read a second time

On motion of Mr Minor it was referred to the Committee on Circuit & Justices Courts

NB No. 48 H. B. No 48 was read a second time

Mr Mann of Columbus moved the following Amendment

Amend Section 4. by striking out all after the word "provided" and insert the following "That nothing in this act shall be so construed as to apply to those who are now regularly engaged in the practice of medicine in this State.

Which Amendment was read the first time

And on motion the rules were suspended and the amendment read a second time. And

On Motion of Mr Mason of Washington
referred to the Committee on Public Health

H.J.M. No 3. Mr Dickinson moves a Suspension of the rules
was that H.J.M. No. 3. be taken up
Which was not agreed to.

On Motion of Mr Bobo the Sergeant at
Arms was granted leave of absence
until Tuesday night next.

Mr Darrow was excused for absence on
yesterday on account of Sickness

H.B. No 49 H.B. No 49 was read a second time and
On Motion of Mr Cummingham was
referred to the Committee on the Judiciary

H.B. No 50 H.B. No 50 was read a second time and
On Motion of Mr Stubbs was referred
to the Committee on Insurance

H.B No 51 H.B. No 51. was read a second time

Mr Sisco moved to amend by annexing
to Sec 5. the following " For filing every
paper not hereinfore specified ten(10) cents"
Which was read the first time
On further motion the rules were suspended
and the Amendment read a second time
and adopted
Mr Stubbs moved that it be referred to
the Committee of the Whole and made
Special order for Wednesday night at
11. Oclock A.M.
Which was not agreed to
Thus it be
On motion of Mr Pindall moved that it be
referred to the Committee on County and
Probate Courts

Mr Richardson moved that it be referred
that it be referred to the Committee on
Circuit and Justices Courts
Which was agreed to

H.B No 52 H.B. No 52 was read a second time and
On Motion of Mr Hume it was referred to the

Committee on the Judiciary

H.B. No 53 was read a second time and
H.B.No.53 On motion of Mr Stanley it was
referred to the Committee on Cities and Towns

On motion of Mr McCormick Mr Chute
was asked to the Committee on Enrolled
Bills

Mr Barnett moved to adjourn
The question was put
and the House at 12:45 P.M. adjourned

J. S. Beardsley
Speaker

John G. Holland
Clerk

House of Representatives

Little Rock Arkansas
Monday February 3d 1879.

The House met pursuant to adjournment at 9 o'clock A.M.

The Clerk called the Roll.
The following members answered to their names Mess. Archer, Asher, Barkley, Barry, Black of Boone, Blackwood, Bobo, Brady, Brinkley, Britt, Brown of Ark, Brown of White, Brummett, Bruins, Cathey, Church, Conway, Coody, Cunningham, Davidson of Sharp, Davidson of Izard, Dawson, Dickinson, Felton, Fishback, Gilkey, Fraser, Gilland, Greening, Hanly, Hare, Harrison, Holden, Holifield, Holmes, Hudson, Jamison, Jordan, Joyner, Keith, Kenny, King, Lee of Howard, Lordamilk, Love, Mack, Maynard, Martin, McConnell, McMurtry, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Payne, Priddy, Riddick, Richardson, Roden, Simmons, Sinnott, Stanley, Tate, Taylor, Thomas, Turner, Tyson, Wallace of Washington, Wann, Washburn, Weir, Williams and Mr Speaker

A Quorum present

On motion Mr Charles was granted leave of absence until to morrow

Mr Brewer was granted leave of absence on motion of Mr Taylor

Mess Dickson and Owen answered to their names.

Rev'd Mr Dye the Chaplain of the House offered prayer

The clerk read the Journal of last Saturday; pending the reading, Mr Minor of the Committee on the Judiciary asked that the members of that Committee be allowed to retire for the purpose of consultation and there being no objection, the Committee retired, after which the Journal was approved and signed by the Speaker and Clerk of the House.

Mr Barry moved for a suspension of the rules

and that bills on Second reading be again taken up"

Which was not agreed to

H.J.M. No. 18. Mr Washburn introduced H.J.R No 18 "A joint Resolution asking Congress to pass certain laws with regard to the Currency &c"

Which was read the first time

H.J.M. No. 1. Mr Hardesty of Sharp from the Committee on Engrossed bills reported H.J.M. No. 1 correctly engrossed

Mr Walker of Washington from Committee on Ways & Means was granted leave to introduce the following

Resolved

That the Committee on Retrenchment be and they are hereby requested to report to the House of Representatives at the earliest day practicable, the particular items of expense in the various departments of State government that may be lessened & reduced and the probable amount of reduction in each item without detriment to the public interest

Which was adopted.

Mr Barnett from Special Committee to wait upon the Governor, Auditor and Treasurer to ascertain &c was granted leave to report and asked until to morrow morning at 10 o'clock to report

Which was agreed to

Mr Hardesty of Sharp from the Committee on County & Probate Court reported as follows:

Mr Speaker

H.B. No. 35 Your Committee on County & Probate Courts having had under consideration H.B. No 35 A bill for "An act to be Entitled "An act to amend Section Thirty five hundred and Seventy (3570) of "Code" Digest have directed me to report the same back with the following Amendment, to wit; Strike out "Thirty five" in the ninth line of Section One (1) and insert "Sixty" in lieu thereof and as amended, they recommend its passage

The amendment was [illegible]

Mr Moore from the Committee on Retrenchment reported as follows

Mr Speaker

H.J.R No. 3. Your Committee to whom was referred H.J.R. No 3. Proposing amendments to the Constitution have duly considered the same and return it with the recommendation that it be adopted with the following amendment

That Section Twenty nine (29) of Article five (5) of the Constitution be so amended as to read "And no appropriations shall be for a longer period than four years

Which amendment was read the first time

Mr Moore from the same Committee reported as follows

Mr Speaker: Your Committee

H.B. No 36 to whom was referred H.B. No 36 have considered the same and return it with the recommendation that it do not pass

Mr Black of Randolph answered to his name

Mr Black of Randolph reported as follows.

Mr Speaker

The undersigned your Committee to whom was referred H.J.M. No 3.

H.J.M. No 3. Do the U.S. Congress recommending the passage of the Texas Pacific Railway bill beg leave to return the same and recommend its passage

Mr Thomas from the Committee on Elections reported H.B. No 3. with a majority of said Committee recommending that H.B. No 3, do not pass

H.B No. 3

Mr Brinkley for the minority of said Committee reports that H.B Nos 3. do pass

Mr Burdsall of Sharp moved the adoption of the minority report

The Hour of 10 o'clock A.M. having arrived The Speaker announced that H.J.M No 1. was Special order for that Hour

H.J.M. No 1. On motion of Mr McConnell H.J.M. No 1 was read a third time

Mr McConnell moved that H.J.M No 1. be
placed upon its final passage
which was agreed to
The question then being
Shall the H.J.M No 1. pass
The Clerk calls the Roll
The following members
voted in the affirmative Mess Archer, Baker,
Barker, Barry, Black of Randolph, Blackwood,
Bobo, Britt, Brown of Lee, Brown of White Campbell,
Burns, Carter, Cheek Craven, Davidson of Harp,
Davidson of Iredell, Dawson, Deaton, Fishback,
Gilliam, Greening, Holden, Horsfield
Holmes, Jamison, Jordan, Joyner, Keith, Kemp
King, Lee of Harnett, Lotterman, Love, Mann,
and, Martin, McConnell, Moore, Morris
of Carroll, Murphy, Owen, Riddick, Richard,
Sm. Rodman, Simmons, Sinnott, Tate, Taylor,
Turner, Walker of Washington, Ward, Welborn,
Weir, Williams Pat Mr Speaker 56

The following members voted in the Negative
Mess. Barnett, Hudson, McMurtry, Morris
of Stone, Parris & Thomas, Tyson 7.

In the affirmative 56
In the Negative 7
Absent and not voting 29
92

So the H.J.M No 1. passed!

The hour of 11 O'clock A.M. having arrived.

H.B. No 106 The Speaker announced H.B. No 106 Special order for that hour

The House went into Committee of the Whole
Mr Fishback was called to the Chair

The House after spending sometime in Committee of the Whole rose and reported passage of H.B. No 106. with amendment to Section one.

The Speaker resumed the Chair Mr Fishback the Chairman of the Committee reported H.B. No 106 recommending passage of

with the following Amendment viz:
Add in Section 1. after the words "five hundred Dollars
the words "& so much thereof as may be
necessary
Which amendment was read the first
time
Mr Mackey of Washington moved that
the amendment be rejected
The House refused to reject the amendment
On Motion of Mr Shipley the rules were
suspended and the Amendment was
a second time and adopted viva
On Motion of Mr McConnell the bill was
ordered engrossed and made Special Order
for to morrow morning at 11. Oclock
Mr Stanley from the Committee on the
Judiciary asked time until to morrow
H.J.R. No 1. to report H.J.R. No 1.
Which was granted
On Motion of Mr Disharoon H.J.R No 1.
was made Special order for to morrow
morning immediately after the reading
of the Journal
Mr Dickinson was granted leave to introduce
H.J.M. No 4. H.J.M. No 4. "A Memorial to the Congress of
the United States asking an Appropriation
of Fifty Millions of Dollars, for the improve-
ment of the navigation of the Mississippi river
and to defend a system of levees to reclaim
and protect the adjacent levels thereon"
Which was read the first time
H.B. # 3. The question recurring on the adoption
of the Minority report of H.B. No 3
The Speaker called Mr Barry to the Chair
The ayes and noes being called for and
Ordered
The Clerk called the Roll
The following members voted in the
affirmative Mess Archer, Barry, Burton,
Clark of Boone, Clark of Randolph,

Brinkley, Brumbaugh, Burns, Carter, Clark, Conway, Cunningham, Davidson of Sharp, Davidson of Grady, Garrison, Gelhaus, Gilbreath, Gilbreth, Gilliam, Gladish, Gordon, Hatfield, Holmes, Jamison, Jordan, Joyner, Keith, Kemp, Laux, Lee of Howard, Lowe-Hannah, Love, Martin, McCormick, Mimms, Moore, Morris of Conway, Morris of Stone, Murphy, Owen, Penney, Priddy, Riddick, Richardson, Simmons, Tate, Taylor Mann, Washburn and Wilkins 51.

The following members voted in the negative Mrs Askew, Barnett, Blackwood, Bobo, Brady, Brett, Brown of Lee, Brown of White, Coody, Dickinson, Fleming, Hanley, Hart, Hudson, Meeks, Maynard McMurtrey, Miller of Clark, Pickard, Rodman, Simpson, Stanley, Thomas, Irvin, Tyson, Waller of Washington, Weir and Mr Speaker 28

Do the minority report prevail

On Motion of Mr Davidson of Grant the Exhibit was invited to be placed upon the floor of the House

The same Courtesy was extended to Gladys Hatchell on Motion of Mr Pickard

Mr Tate moved that H.B. Nos. be read a third time and passed upon its passage

Mr Black of Boone moved that the House adjourn

The question was put and the House by a viva voce vote of 48 ayes to 24 nays at 12:56 P.M. adjourned

J. S. Bearden
Speaker

John L. Holland
Clerk

House of Representatives

Little Rock, Arkansas
Tuesday February 4th 1879

The House met pursuant to adjournment at 9 3/0 O'clock A. M.

The Clerk called the Roll.
The following members answered to their names
Meek, Archer, Askew, Barnett, Barton, Barry,
Black of Boone, Black of Randolph, Blackwood,
Bobo, Bray, Brewer, Brinkley, Britt, Brown of Lee,
Brown of White, Brumpass, Burns, Curtis, Cheek,
Conway, Cooley, Creekmore, Cunningham, Nevada,
Dow of Sharp, Davidson of Izard, Durrett
Dickinson, Felton, Fishback, Hopkins, Fraser,
Gillam, Gunning, Hanly, Hare, Harrison,
Haldin, Holifield, Holmes, Hudson, Jamison,
Jordan, Joyner, Keith, Kemp, King, Lee
of Howard, Lemaster Mills, Lewis, Mack, Mann,
Ward, Martin, McConnell, McCracken, Mc
Murtrey, Miller of Clark, Miller of Conway,
Moore, Morris of Carroll, Morris of Stone,
Orr, Payne, Pugh, Priddy, Riddick,
Roden, Simmons, Sinnott, Thurley, Tate,
Taylor, Thomas, Turner, Tyson, Wann of
Washington, Wann, Washburn, Weir, Williams,
and Mr Speaker

a quorum present

On motion of Mr Payne Mr Turbeck was excused on account of sickness

Mr Minor was granted leave of absence until to morrow on motion of Mr Wann

Rev'd Mr Dye the Chaplain offered prayer

The Clerk read the Journal of yesterday's proceedings and there being no objection, it was approved and signed by the Speaker and Clerk of the House

Mr Davidson of Sharp rose to a question of privilege and asked that Mr Maynard be excused for absence beyond the time granted, caused by sickness which was granted

On motion of Mr Fishback H.J.R No 1. being Special order after reading of the Journal this morning, was postponed until after the disposition of the unfinished business

A Message was announced from the Senate by Mr Gathery the Assistant Secretary of the Senate appeared within the bar of the House and read as follows.

Senate Chamber
February 7th 1879.

Mr Speaker

I am instructed by the Senate to inform your honorable body, of the passage of H.B No 1. "An act to make Appropriation to pay for repairs and furnishing the Senate Chamber" the State & the House of Representatives

Also

H.B. No 4. "An act Entitled an act to supply deficiencies in the appropriations for salaries of the Supreme, Circuit and Chancery Courts for the 2 years ending March 7th 1879."

Also

H.B. No 30. "An act to amend an act to fix the time of holding Circuit Courts in the County of Ashley"

Also

H.B. No. 88 - A Bill to be entitled "An act to change the time of holding the Courts in the 12th Judicial Circuit of this State" and therewith respectfully return the same

Lon F. Kritchman
Secretary.

Mr Henderson of Thurston moves that the rules be suspended and that H.B. No 3 be taken up read a third time and placed upon its passage

The House by a vote of 38 ayes to 21 nays refuses to suspend the rules

A Message was announced from the Governor

General Comery the private Secretary to the Governor appeared and read as follows

State of Arkansas

Executive Office
Little Rock Dec 6th 1879

To the Speaker of the House of Representatives
Mr Speaker

I have this day

H.B. No 67 approved and signed H.B. 67. An act to / Amend Section One (1) of an act fixing the time for holding the Courts of Probate in Each County of this State and declaring the provisions thereof

W.R. Miller, Governor

H.J.R. No 1. Special order H.J.R. No 1. being called up by Mr. Fishback

Mr Barnett moved that the Entire Subject matter be indefinitely postponed upon which motion the ayes and noes were called for and ordered

The Clerk called the roll, when the following members voted in the affirmative

Messrs Barnett, Blackwood, Boles, Brewer, Brinkley, Burns, Conway, Cunningham, Garrett, Gordon, Joyner, Lee of Horrais and Thomas 13.

The following voted in the negative

Messrs Archer, Asher, Burks, Casey, Black of Boone, Black of Randolph, Bray, Britt, Brown of Lee, Brown of White, Bontiputs, Curtis, Church, Cooley, Creekmore, Davidson of Izard, Davidson of Sevier, Dickerson, Feltus, Fishback, Hyden, Fraser, Gillum, Greening, Hamby, Harrison, Hearn, Holt, Field, Holmes, Jamieson, Jordan, Keith, Kemp, King, Lockhart, Love, Mack, Marsh, Martin, McConnell, McCracken, McGee, Murfree, Miller of Clark, Miller of Conway, Moore, Morris of Carroll, Morris of Izard, Owen, Payne, Pindall, Priddy, Reddick, Simmons, Simmons, Shirley, Soto, Taylor, Trimm, Tyson, Walker of Washington, Mann, Washburn, Weir, Williams and Mr Speaker 65.

In the affirmative 13.

In the negative 65

So the motion to re-
definitely postpone was lost

On motion of Mr Randall Mr Rodes was excused
on account of sickness

Mr Fraser from the Committee on the Judiciary
to whom was referred H.J.R No. 1. presented
the following as a Majority report of
said Committee

Mr Speaker

We the undersigned
Signing a majority of the Judiciary Com-
mittee report, that we have had under
Consideration House Joint Resolution
Number one and would recommend
that the said Resolution do pass

James A. Fraser
J. M. Miller
R. Priddy
Isaac Harrison
J. C. Hare
W. C. Gray
J. E. Stanley
A. P. Mc.Mb

Mr Pinnace on the part of the minority
of said Committee made the following
Report

Mr Speaker,

The undersigned member
of the Committee on the Judiciary to whom was
referred Joint Resolution number one, Propo-
sing an amendment to the Constitution
prohibiting the payment of certain bonds
of the State therein described, beg leave to
report

That they have had the same under
Consideration

In this report they find it con-
venient to treat of the several classes of
bonds mentioned in said Resolution Sepa-
rately.

1st Bonds numbered from 491 to 1860 were
issued under the provisions of the supposed
act approved April 6. 1869. a renewal of

500 Bonds der 1000$ each, known as the Holford Bonds, which were issued by the State of Arkansas to the Real Estate Bank, under the provisions of an act of the General Assembly of Arkansas approved February 24th 1838, authorizing said Bank to establish a Branch in the Western part of the State.

The Real Estate Bank consisting of a principal Bank, with two branches was chartered by the act approved October 26th 1836, with a capital of $2,000,000 "to be raised by loans or negotiations on the security of Real property at its Cash value with a guarantee of public credit".

The plan was that the Stockholders subscribing to the Capital stock of said Bank should secure their subscriptions by Bonds & Mortgages on Real Estate to said Real Estate Bank, these mortgages to be transferred to the State and the bonds of the State to be issued to said Real Estate Bank and by it negotiated at not less than par value to raise money to carry on the business of Banking.

1530 bonds of 1000$ each were issued by the State to the order of the Real Estate Bank and sold and assigned by the Bank to the order of various persons and corporations and the business commenced on the Capital thus raised, by a principal Bank at Little Rock with Branches at Washington, Columbia and Helena.

By the act approved February 24th 1838 the Stockholders of the Real Estate Bank were authorized to establish a branch in the Western part of the State, and its Capital Stock increased to be subscribed and secured as before. The State was authorized to issue 500 more Bonds of 1000$ each to said Bank, for the payment of which the faith and credit of the State was irrevocably pledged.

The Bank and its branches suspended in October 1839. = but the bonds provided for in the last act were issued by the State dated as of the 1st day of January 1840 and delivered to said Real Estate Bank.

The central Board of said Bank by an ordinance dated 20th July 1840 gave their assent to an arrangement proposed by

some New Orleans banks for procuring a loan of 250,000$ and authorized C. A. Harris their Cashier and Secretary to hypothecate pledge and make conditional or positive sale of the Stock bonds belonging to said Bank to procure funds to sustain the credit of said Bank and to cause the depreciation of its paper". Said Cashier and Secretary was directed to proceed eastward if necessary to effect this object, it was also ordered that the Bank Commissioners should proceed Eastward and Co-operate with the Cashier in making sale of said Bonds and to act on any arrangement he might make, under the authority of said Ordinance and the President was directed to furnish the necessary letter of authority for this object. The 600 Bonds then held by the Bank, were orders to be turned over to the Cashier. On the 7th of September 1840 nearly a year after the foregoing the Bonds of 500 Bonds were pledged to the North American Trust and Banking Company of New York, to secure a loan negotiated with said Banking Company by said Real Estate Bank of 250000 dollars = 121336 59/100 dollars was received on said loan. The remainder was pretended by said North American Trust and Banking Company became insolvent about this time and repledged said 500 bonds to Messrs Wolff and Co of London to secure a loan obtained by it from them on its own account. The 121336 59/100 received by said Real Estate Bank was used in meeting its own obligations, and said Western branch was wound up.

In this deed of assignment, the Real Estate Bank recognized the liability for the repayment of said 121,336 59/100 dollars and interest thereon.

The assets of the Real Estate Bank was afterwards placed in the hands of a Receiver. The liability of the State to pay the amount borrowed to release said bonds has been frequently recognized by the officers of the State, and by the Supreme Court in the Case of Whitney vs. Perry. 5th Ann. 22 and are think at this late date cannot be successfully controverted.

Some payments of interest have been made

on these bonds by the State from time to time, which your Committee think should be applied to the payment of said sum of $21,336 59/100 Dollars and interest for which the bonds were pledged, but in the limited time allowed your Committee to investigate the numerous questions of fact and law involved in the inquiry, occupied much of the time with other duties some have been, we have not been able to ascertain the Exact amount due to the Representatives of the North American Trust and Banking Company on account of this loan.

Your Committee felt authorized to express the opinion that the amount is not large, perhaps upon a correct estimate of the Credits the State is entitled to, the whole amount may be shown to have been paid, but if any part of said $21,336 59/100 dollars and interest thereon remains unpaid, your Committee is of opinion that such balance must be paid by the State before we can legally demand the Cancellation of said Bonds.

The Representatives of the Holders | claim. that the Mess Halford advanced $25,000 to said North American Trust and Banking Company on these Bonds — that they found them in the hands of the Assignees of the Real Estate Bank with no circumstances of suspicion on their face and that they are innocent holders for value, and entitled to hold said Bonds until the sum of $25,000 dollars and interest thereon is paid to them.

Your Committee has not had time fully to investigate this Claim, but from the information they have been able to acquire your Committee is of opinion, that according to the rules of Law on the subject of pledges the claim of Mess Halfords is not well founded.

By the terms of the Law under which these Bonds were issued, they were to be made payable to the order of the Real Estate Bank but to "be transferrable by the Endorsement "of the President and of the Cashier of said Bank "to the order of any person or persons soever". thus clearly prohibiting an Endorsement in blank. Your Committee have not been able

to see the Bonds in question, but upon inspection of other bonds of the State transferred by said Real Estate Bank under identical provisions, they found that it was the custom of said Bank to transfer such bonds by Endorsement to the order of the transferee, and they infer that these Bonds were indorsed to the order of said North American Trust and Banking Company, or to some of its agents as required by the Law, and when they were transferred to the Messrs Stafford & Co by said Trust and Banking Company it was by Endorsement by said Company or its agent, but be this as it may the Law requires a full Endorsement and Messrs Stafford & Co must be held to notice of the requirements.

Your Committee believe these rule of Law defining the rights of the parties under the Circumstances to be; That the North American Trust and Banking Company the original pledgees had the power to dispose of their interest in said pledge, either by Sale or subsequent pledge, and that Stafford & Co the second pledgees, acquired only the interest of said North American Trust and Banking Company in the Bonds which was the right to hold them until said $121,336 59/100 dollars and its interest was paid. The rule is well settled, if your Committee is correct in its deductions, that said Bonds at the time they were transferred to said Stafford & Co. were payable to the order of any other person and required an Endorsement by such person before they were in a Condition to pass by delivery, merely.

The Conclusion of your Committee on this branch of the Resolution is that, at the date of the funding act approved April 5. 1869. the State was not legally or Equitably bound to pay any greater sum to have said bonds released and cancelled, than whatever balance there remained unpaid on said $121,336 59/100 dollars and interest, after deducting all payments that had been made on said Bonds or the interest thereon.

It now remains to consider the effect of that funding act.

From the report of a Committee appointed at the last session

of this General Assembly appointed to investigate this question and the evidence taken by said Committee, it appears of the witnesses examined by said Committee and entitled to be believed, that the passage of said funding act was procured by corrupt influences used either in lobbying said act through the General Assembly or by direct bribes to some of the members. This however is declared by the Supreme Court of the United States is not a sufficient cause to avoid the law in the Courts — the examination of the Journals and printed proceedings of said Legislature show that, said funding act was not passed in the manner required by the Constitution of the State then in force.

Said funding act was a substitute reported by a Committee of the House for a bill, upon a similar subject. It does not affirmatively appear, that said substitute bill was ever read more than once, and it does appear by necessary implication that it was not read three times, or the rules suspended requiring it so to be read.

This according to the Constitution then in force, according to well settled principles avoids the Law.

Your Committee is grateful to report that this corrupt attempt to impose upon the Taxpayers of the State a debt of over 1,360,000 dollars more perhaps than one fifth was dyed, either legally or equitably, was thus providentially defeated. Some payments have been made on said Bonds since said funding act was passed. And some of the substituted bonds have been redeemed by the State. And your Committee think that the amount so paid and the value of such redeemed bonds should be credited on said Original ~~bonds~~ debt of 121,336 9/10 dollars and its interest, and if any balance thereof is still unpaid, that such balance is a legal lien on said bonds and a just debt against the State and that Section 2 Article 16. of present Constitution requires the General Assembly to provide for the payment of the same

2d In regard to the Railroad Aid Bonds issued by the State under the provisions of the supposed act approved July 21. 1868, mentioned in the Resolution referred to them. Your Committee report. That the validity of these bonds has been passed upon by the Supreme Court in the case of the State vs. The L.R. & N.W. R & P. Ry. 31 Ark 716 701. and said supposed Law held to be invalid and that the decision of the Court should be regarded as settling all questions in regard to these bonds.

The holders of these Bonds must be regarded as purchasing the same with knowledge of the want of power in the officers to issue the same. They deem this rule well settled by the adjudications of the highest Courts.

3d The Swamp Land warrants and Levee Bonds

The General Assembly by the act of March 19th 1869 and the act supplementary thereto approved April 12. 1869 provided for a system of Levees and drains to reclaim the swamp and overflowed Lands of the State to be constructed by the State under the supervision of its own officers.

The Commissioner of Internal Improvements was authorized to contract for the construction Levees, upon the petition of land owners, when in his judgment the interests of the State required the same to be constructed, and the auditor of Statewas authorized to issue in payment of said work Swamp Land Certificates, payable in Bonds with interest payable annually at the City of Little Rock.

This Law was based upon the theory that as the State had received a large Land Grant from Congress for the purpose of reclaiming these lands, and could not otherwise divert a large portion of the lands comprised in the grant and still had a large amount of such lands an obligation was imposed upon the State to complete the reclamation thereof, wisdom and policy required that the large part of the State subject to overflow should be protected.

The Commissioners of Internal Improvements under the provisions of these laws, did Enter into Contracts for the building of Levees and did a large amount of work, believed to be of great benefit to the Citizens and material interests of the State.

Your Committee are not advised that the liability of the State to pay for this work has ever been definitely decided by the Courts, or of any defence which can be successfully interposed thereto. It was the opinion of many able Lawyers who were Consulted at the time by said Commissioners and by said Contractors, that the Law was a valid one and the Credit of the State pledged for the payment of the work.

Your Committee have not been able to ascertain the exact amount of work done under these Contracts or the value thereof, prior to the repeal of these Laws by the act of March 20. 1871, but there had been issued under the provisions of these laws obligations of the State to the amount of 5957[illegible]91 dollars at the time of the repeal of the two acts of 1869.

The laws were repealed by an act approved March 23. 1871, providing for the issue by the State of Swamp Land Warrants or Levee bonds to the extent of 3000000 dollars due 30 years after date, redeemable in the legal Currency of the Country by the State Treasurer at Maturity, and in the meantime receivable for Swamp Lands of the State.

This last act provided for funding the indebtedness created under the former Laws, in the Bonds authorized by this act and as it unconstitutionally repealed all former Laws, depriving the holders of any remedy whatever, forcing them to exchange their evidence of indebtedness for the bonds issued under this act, Some 2000 dollars of this amount was redeemed in purchasing Lands. 551,697 dollars funded under the act of 1871

and $2,063 dollars is still outstanding in the original obligations issued to under the acts of 1869. The balance of the 3,000,000 dollars was issued to Contractors, Railroads, Employees &c &c under the provisions of the act of 1871.

In the case of Gantt v. Smithers determined at the last term of the Supreme Court, the act of 1871 was held invalid and the bonds issued under its provisions void, but your Committee cannot see that this decision, in any manner, bars the rights of Contractors who are doing work under a Contract with the proper officers of the State under the provisions of the act of 1869. and before said act was repealed. We think they are legal creditors of the State and that the State is Equitably and in good faith bound to pay them the fair and reasonable value of the work done under such Contracts in good faith performed.

Your Committee feel Constrained to believe that any attempt to repudiate the legal debts of the State would be unjust to its Citizens, destructive to its credit, a blot on its fair fame, dishonorable to this General Assembly and a shame to our people now and in the future.

That such policy would be as useless, as it is disgraceful— Such debts, if not are protected by the Constitution of the United States, forbidding any State to pass any law impairing the obligations of Contracts and by the Common Sentiment of the Civilized world.

They further think, that such an attempt would afford no additional Security against the unjust and illegal part of our debt. The Experience of the past four years Conventions, that such protection may be safely expected from the Courts and Legislature, the former tribunals have met with fearless Courage

found means of relief to our people against all attempts to coerce payment of the illegal part of the debt, and the latter with equal firmness, shuts out all remedies, by which the holders of such fraudulent debt might seek to win, those on the people as more have seen the very large part of the indebtedness mentioned in the resolution = the Rail Road Aid Bonds = and the Levee Bonds have been declared invalid by the Supreme Court. The question of the validity of the Holford Bonds is now pending before that tribunal, and this question and those of the Swamp Land certificates, when they arise, may be safely, & justly submitted to the wisdom and patriotism of the Judges chosen by the people to compose that august tribunal.

No attempt is being made to collect any part of said debt, or to levy taxes to pay the same, and there are no means by which the holders of any of these illegal claims can obtain payment, if such attempts were made, they would not succeed without the active aid of a legislature elected by the people and responsible to them for their acts. And your Committee have an abiding confidence in the honesty & intelligence of the people of Arkansas, and that they are not likely ever to elect representatives, who do enough and bad enough to attempt to impose upon them constituents any part of this fraudulent debt.

For the foregoing reasons your Committee report said Joint Resolution Number one back to the House with a recommendation that they do not pass in its present form

J. B. Dewey, Chairman
Charles Minor
J. M. Dickinson
J. L. Conway
J. D. Cunningham
L. A. Pindall

Mr Fosbrook moved that 200 copies of the reports be printed and that they be made Special order for Saturday next

Mr Hanly moved to amend by striking out Saturday and inserting Monday next

Upon division being called for and sustained the House by a vote of 45 ayes to 21 nays adopted the motion as amended by Mr Hanly

The Hour of 11 o'clock A M having arrived The Speaker announced N.B. No 136. Special order for that hour

N.B. No. 136

from the Committee on Ways & Means

Mr Marsh of Washington asked and obtained leave to make the following Report, in compliance with a resolution introduced by Mr Bobo and adopted by the House on last Saturday the 8th inst

Mr Speaker

The Committee on Ways and Means to whom was referred a Resolution requiring information as to whether the State Indebtedness has been increased since the passage of an act entitled an act to provide means to support the State government and relieve the embarrassing Auditors Warrants and Stay Scrip," approved December 25th 1874

Your Committee beg leave to submit the following Statement

1st Statement showing the amount of out Standing 6% Funding Bonds issued under the act of Dec 23. 1874 & for what purpose the same was paid

By 284 N.S. 6/20 Bonds belonging to permanent School fund sold and reinvested in 6% Funding Bonds $ 67,000. 00

By Amount of State Scrip belonging to permanent School fund invested in

Forward — $ 67.000.00
" 6% Funding bonds — " 74.000.00
By Amount of Bonds paid L. Mass
for building and extending Walls
of Penitentiary under act of General Ass. 116,000.00
By Amount of 6% funding bonds
issued to Arkansas Industrial Uni,
versity under act of General Ass, — 16,000.00
Feuibly 1875
By Amount of 6% funding Bonds
issued for State Capitol — 136,000.00
By three Bonds 6% funding
Dols for N.O. Currency — 3.000.00
$ 412,000 00

By Total amount of Interest
paid on 6% funding bonds " 84,070.00

Your Committee beg leave to further
report that of the above amount
$412,000.00 as bonded debt against
the State $116,000 was appropriated
in lieu of currency by the General Ass,
Feuibly to pay L. Mass for extension
of the Penitentiary Building and $
16000 was appropriated to reimburse
the County of Washington an equal
amount erroneously collected
on the State University Bonds.

Your Committee beg leave to further
report that on the sixty seven one
thousand Dollar 6% funding bonds
of the State in the Treasury, to the credit
of the School fund $42,000 there
was appropriated to defray the
Current Expenses of the State
Government

Recapitulation
Decbr 28th 1874

State Scrip and Auditors Warrants
outstanding as a floating debt — $ 1.700,000.00
Of that amount $210,000 has been
funded in 6% bonds leaving balance of " 1.490,000.00
By Error as per Treasurers Report
$ 630,000 Balance against the State " 860,000.00
By amount Cancelled $388.000
Leaving a balance of
now outstanding — 477.000

Since the increased bonded debt Law
is $412,000 principal and $84,570.00 Interest
aggregate Principal and Interest $496,570.00
While at the same time the out standing
floating debt has been reduced $93,000.00
During the session in the State Favor of 96,430.00
Your Committee further state that all
the bonds of the State that have been hypothe-
cated have been redeemed except $40,000.00
now on hypothecation but the notes of the
State are not matured.
All of which is respectfully submitted

Mann of Washington
Chairman

On Motion leave granted Mr Barnett he
made the following Report
Mr Speaker
Your Special Committee to whom was refer-
red to enquire of the Governor, Auditor and
Treasurer if under the present rate of taxation
they can borrow any money, beg leave to make
the following report viz: That in their opin-
ion they will not be able to borrow any
money before the 1st of July next. But
if this Legislature assemble will increase
the sinking fund tax to 4 mills or 4½ they
feel assured that they can borrow one
hundred thousand or more dollars
in the month thirty days

The question being shall the bill (H.B. No 136) pass

136

Mr Dishback moved to
Commit the bill to Committee on Ways
and Means
The House by a vote of 32 ayes
to 37 nays refused to Commit

The question recurring on the passage
of the Bill
The Clerk called the roll
The following members voted in the affirm-
ative Mess Archer, Aiken, Barnett, Burkett,
Berry, Black of Boone, Blackwood, Bailey
Bankhead, Barbee, Curtis, Arick, Crimm Faulk

Davidson of Sharp, Dickinson, Felton, Giffin,
Gilliam, Greening, Harrison, Holden, Johnson,
Hudson, Jamieson, Kemp, Lowdermilk,
Maxwell, Martin, McCracken, McMurtrey,
Mills of Clark, Morris of Stone, Orrew, Pindall,
Priddy, Primate, Slate, Taylor, Turner, Walker
of Washington, Wells and Mr Speaker 42

In the negative Miss Black of Randolph,
Bobo, Bowers, Brinkley, Britt, Brown of Lee,
Brown of White, Conway, Coody, Cushman,
Davidson of Izard, Dawson, Dishaek, Fraser,
Hunley, Hare, Hatfield, Jordan, Joyner,
Kuck, Lewis, Lee of Howard, Lorre Smith
McCormick, Miller of Conway, Moore, Morris
of Carroll, Payne, Riddick, Simmons,
Stanley, Thomas, Tyson, Wann, Washburn,
and Wilkinson 37.

In the affirmative 42
In the negative 37
absent and not voting 18
Total 97

So the Bill (HB No 186) passed

Mr Slate moved that the House take recess until 2 o'clock P.M.

Mr Dishaek moved to adjourn which

Upon a division being called for and sustained the House by a vote of 39 ayes to 32 Nays at 12:34 P.M. adjourned

John G. Holland
Clerk

J. S. Bearden
Speaker

House of Representatives

Little Rock Arkansas
Wednesday February 5th 1879

The House met pursuant to adjournment at 9:30 Oclock A. M.

The Clerk called the Roll.
The following Members answered to their names
Mess Aschu, Askew, Barnett, Bayles, Barry, Black of Boone, Black of Randolph, Blackwood, Boles, Brady, Brewer, Brinkley, Britt, Brown of Lee, Brown of White, Brumpass, Burns, Cantrell, Chick, Conway, Coody, Cruikshank, Cummingham, Davidson of Clark, Davidson of Izard, Dawson, Dickinson, Fellner, Fishback, Fielding, Fraser, Furbush, Gillard, Gunning, Haney, Hare, Harrison, Hayden, Hatfield, Holmes, Hudson, Jamison, Jordan, Joyner, Keith, Kemp, Kemp, Lee of Howard, Linebarger, Love, Mack, Maynard, Martin, McConnell, McCracken, McMurray, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Carroll, Morris of Izard, Murphy, O'neal, Payne, Pendleton, Priddy, Eyeker, Riddick, Richardson, Rodgers, Smoot, Stanley, Tate, Thomas, Turner, Tyson, Walker of Washington, Wann, Washburn, Weir, Williams and Mr Speaker

a quorum present

Rev. Mr Dye the Chaplain of the House read prayer

Messrs Simmons and Taylor answered to their names

Mr Murphy was excused for absence on yesterday

The Clerk read the Journal of yesterdays proceedings. Pending the reading, on motion of Mr Pinkney, that part of the Journal embracing the Majority and Minority reports of the Committee on the Judiciary upon H. J. R. No 1. was dispensed with; after which the Journal was approved and signed by the Speaker and

Clerk of the House.

The Sergeant at Arms announced a Message from the Senate

Mr Duffield the Assistant Secretary of the Senate appeared and read as follows

Senate Chamber
Feby 5th 1879.

Mr Speaker

I am instructed by the Senate to inform your honorable body of the passage

H.B. No. 28 of H.B. No 28 A Bill to be Entitled An act to change the boundary line between the Counties of Chicot and Desha

Also

S.B. No. 9. S.B. No 9. "An act for the relief of Minors

Also

S.B. No. 25 S.B. No 25 An act entitled an act to provide for a bond for costs in suits to Contest Elections in the Circuit Courts, the County Courts in this State and therewith respectfully transmit the same for your Honorable Consideration

Lon D. Kretschmer
Secretary

H.B. No. 138 Mr Archer moved that the rules be suspended and that H.B. No 138 be taken up

The House by a vote of 42 ayes to 26 nays refused to suspend the rules

Mr Askew presented a petition from Citizens of Columbia County which on his motion was referred to the Committee on Temperance

Mr Brindley presents a Memorial from Citizens of the Lower Arkansas Valley which was on his motion referred to the Committee on Petitions

Mr Priddy presented a petition from the Medical Society of Logan County which was on his motion referred to the Committee on Public Health

Mr McCormick presents Resolution from

Council of City of Fort Smith which was on his motion referred to Committee on Insane Asylum

Mr McKinsey presents petition from citizens of Arkansas City and on his motion was referred to the Committee on Cities and Towns.

Mr Cumming Kan presents a petition from citizens of Gravely Creek Yell County and on his motion it was referred to the Committee on Education

Mr Coody from the Committee on Insurance Reports as follows

Mr Speaker

Your Committee to whom was referred the Petitions and Memorials on Insurance would state that they have had the matter under Consideration and believe that the Citizens have a Constitutional right to be heard by petition to their legislative body, and to urge upon their Consideration the redress of any grievance deject to be remedied by legislative enactment. We therefore respectfully submit herewith "a Bill for an act to prevent the Manufacture, Sale or traffic in intoxicating Liquors in this State" except for Medical purposes" and recommend its candid consideration by this House.

H.B. No. 139 The bill being H.B. No 139. was read the first time

Mr Meek introduced H.J.M. No 6. to the U.S. Congress asking an Appropriation to remove obstructions in, and improve the Navigation of Black River

Which was read the first time

H.B. No. 115 Mr Barnett from the Committee on Railroads reports H.B. No 115 as follows.

Mr Speaker

Your Committee to whom was referred H.B. No. 115 have had the same under Consideration and beg leave to make the following report. viz; That the bill be amended as follows

Section 1st "That the act" entitled "An act to incorporate the Cumming Town

of said property and be taxed accordingly;
This Method of assessment to be and remain in force for the period of ten years from and after the passage of this act"
And recommend that the bill be referred to the Judiciary Committee.
Which Amendment was read the first time

Mr Dunn made a minority report and is as follows

"Minority report upon H.B. No 115. Amend Section one and all Amendments thereto, by adding to Section one as follows "Said Board in arriving at the true value in money of all the Railroad property both, real, personal and mixed in this State, shall take into consideration the very Equity of the Case existing between all the "Citizens of the State and said Railroad Company or Corporation without discriminating against or in favor of said Railroad Company or Corporation" Agree with the Amendment recommend that the bill do pass

Which Amendment was read the first time

Mr Barnett on Motion of Mr Barnett both the Amendments with the bill were referred to the Committee on the Judiciary.

H.B. No 87

Mr Reid ag from the Committee on the Judiciary reported favorable upon H.B. No 87. and Moved Suspension of the rules that bill may be read a third time and placed on its passage

The House refused to Suspend the rules.

H.B. No 140
Sub for HB #8

Mr Cunningham from the Judiciary Com. on bills reports as follows

Mr Speaker

The Committee on Judiciary to whom was referred H.B. No 8. authorize me to report the accompanying Substitute and recommend that the Substitute do pass

The Substitute being H.B. No 140 to A Bill to be entitled an act to Amend Section Fourteen hundred and Nine (1409) of Gantts Digest, and an act Amendatory thereof entitled "An act to be entitled

an act to amend section 1409 of Gantts Digest
Approved February 5th 1875.
~~Which~~ was read the first time and

On motion of Mr Britt the rules were suspended
and the bill (S.B No 140) read a second time

Mr Blackwood moved to amend section 1 to
by inserting the words "of not exceeding five
dollars in value"

(Which Amendment was read
the first time and
On motion the rules were suspended and
the Amendment read a second time and
Bill and Amendment referred to the Com-
mittee on Circuit and Justices Courts.

The Sergeant at Arms announced a
Message from the Senate

Mr Gatherly its
Assistant Secretary read as follows

Senate Chamber Feby 5. 1879

Mr Speaker

I am instructed by the Senate
to request your honorable body that
S.B. No 23. "An act entitled an act to
provide for a bond for Costs in Suits to
Contest Elections in the Circuit Courts
and County Courts in this State" be returned
to the Senate

Lon D. Kretschmar. Secretary

S.B. No. 23 asking return

On motion of Mr Fraser Mr L.C. Driscoll
was invited to a seat upon the floor of
the House

There being no objection S.B. No 23 was
returned to the Senate

Mr Cunningham from the Committee on the
Judiciary reports as follows

Mr Speaker

The Committee on Judiciary to whom was
referred H.B. #49 authorize me to report
the following Substitute and recommend
that it do pass
The Substitute being H.B. No 141. "A bill

H.B. No. 141 Sub for #49

for an act to be entitled "An act to make it larceny for an Executor, Administrator or Guardian to Embezzle the effects of his Testator, Intestate or Ward"
~~Which~~ was read the first time

Mr Williams from the Committee on Internal Improvements reports as follows

Mr Speaker

Your Committee to whom was referred H.B. No 45. Entitled "An act to form a compact with the State of Louisiana and to create a levee district and for other purposes" beg leave to report back the same with the recommendation that it do pass

H.B. No. 45

On motion of Mr Worsham the Bill (H.B. No 45) was referred to the Committee on the Judiciary

On motion of Mr Cunningham the rules were suspended and H.B. No 144 Read a second time

On motion of Mr Dale the committee report was concurred and H.B. No 3, was taken up and Read a third time

H.B. No. 3

Mr Barnes moved to amend the Bill by providing that the provisions of the Act shall not go into force until after next general Election

The Speaker called Mr Minor to the Chair

A Message was announced from the Governor

Gen'l. Pomroy appeared and read as follows

State of Arkansas

Executive Office

Little Rock Dec 5. 1879

To the Speaker of the House of Representatives

Mr Speaker

I have this day approved and signed H.B. 1. An act to make an appropriation

to pay for repairs and furnishing of the Senate Chamber and Hall of the House of Representatives
W. R. Miller, Governor

The question being on the passage of H.B. No 3.

Mr Brady moved to recommit Bill to the Committee on Elections with instructions that they amend bill so as to provide that it shall not apply to next general Election

Mr McCormick from the Committee on Enrolled Bills was granted leave to report as follows

H.B. No. 1. Enrolled

Mr Speaker; Your Committee on Enrolled Bills have the honor to report that we have examined H.B. No 1. and find the same correctly enrolled and the same signed by the Speaker of the House and the Pres. dent of the Senate and delivered the same to his Excellency the Governor for his Concurrence This 6th day of February 1879.

The question recurring on the motion of Mr Brady to recommit the bill,

Upon that motion Mr Davidson of Sharp called for the ayes and nays.

Which call was sustained.

The Clerk called the roll, and the following members voted in the affirmative, Messrs Askew, Barnett, Black of Randolph, Blackwood, Bobo, Brady, Brewer, Britt, Brown of Lee, Brown of White, Carter, Conway, Dickinson, Funbush, Gillam, Greening, Hardy, Hare Holden, Hendren, Jamerson, Mack, Maynard McMurtrey, Miller of Clark, Minor, Morris of Carroll, Pindall, Priddy, Quarles, Richardson, Roden, Simmons, Sinnott, Stanley, Taylor, Thomas, Tyson, Walker of Washington, Weir and Mr Speaker. 41.

The following members voted in the negative, Messrs Archer, Banker, Barry, Black of Boone, Brinkley, Brumfield, Burns, Burnett, Coody, Creekmore,

Cunningham, Davidson of Hark, Davidson of Yard, Dawson, Fellman, Filkpin, Fraser, Harrison, Holifield, Holmes, Jordan, Joyner, Keith, Kemp, King, Lee of Howard, Lowdermilk, Lowe, Martin, McConnell, McCracken, Miller of Conway, Moore, Morris of Stone, Murphy, Owen, Payne, Riddick, Tate, Turner, Warner, Washburn, and Williams. 43.

So the motion to reconsider was lost.

Mr Thomas moved to table the bill,

Upon which motion the yeas and nays were called for, and the call sustained,

The Clerk called the roll, and the following members voted in the affirmative, Mess Askew, Barnett, Blackwood, Bobo, Braly, Brewer, Britt, Brown of Lee, Carter, Conway, Dickinson, Embrey, Greening, Hanley, Hare, Holden, Hudson, McMurtrey, Miller of Clark, Pindall, Quarles, Simmons, Smith Thomas, Walker of Washington, Weir and Mr Speaker. 27.

The following members voted in the negative, Mess Archer, Berry, Barker, Black of Boone, Black of Randolph, Brinkley, Brown of White, Bumpass, Burns, Chick, Coody, Creekmore, Cunningham, Davidson of Sharp, Davidson of Izard, Dawson, Feltman, Filkpin Fraser, Gillam, Harrison, Holifield, Holmes, Jameson, Jordan, Joyner, Keith, Kemp, King, Lee of Howard, Lowdermilk, Lowe, Mack, Maynard, Martin, McConnell, McCracken, Miller of Conway, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Owen, Payne, Priddy, Riddick, Richardson, Roden, Stanley, Tate, Taylor, Turner, Tyson, Warner Washburn, and Williams. 57.

So the motion to table was lost.

The question recurring upon the passage of the bill,

Mr Cunningham moved the previous question,

Which was sustained.

Whereupon,
The Clerk called the roll when the following members voted in the affirmative: Messrs: Archer, Barker, Barry, Black of Boone, Black of Randolph, Brindley, Brumfield, Burris, Buckbloody, Creekmore, Cunningham, Davidson of Shelby, Davidson of Izard, Dawson, Fellman, Griffin, Fraser, Gillam, Harrison, Holifield, Holmes, Jameson, Jordan, Joyner, Keith, Kemp, King, Lee of Howard, Luttrell, Lowe, Mack, Martin, McCamish, McCracken, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Owen, Payne, Priddy, Riddick, Richardson, Tate, Taylor, Turner, Warner, Washburn and Williams. 51.

The following members voted in the negative: Mess. Askew, Barnett, Blackwood, Bobo, Braly, Brewer, Britt, Brown of Lee, Brown of White, Carter, Conway, Dickinson, Embuch, Fleming, Hanly, Hare, Holder, Hudson, Maynard, McMinthey, Miller of Clark, Miller of Conway, Pindall, Charles Raden, Simmons Quinatt, Stanley, Thomas, Tyson, Walker of Washington, Weir and Mr Speaker. 33.

On the affirmative 51.
On the Negative 33
Absent and not voting 8
92.

So the Bill passed.

The Speaker resumed the Chair.

Mr Black of Randolph, moved that the House take a recess until 2 Oclock P.M.

Mr Taylor moved that the House adjourn, which was not agreed to.

The question then recurring on the motion of Mr Black of Randolph, to take a recess

The House by a rising vote of 48 ayes and 23 nays, at 12:30. Oclock P.M. took a recess until 2 Oclock P.M.

After the Recess
at 2: ~~0~~ O'clock. P.M.

The Clerk called the roll, when the following members answered to their names, Messrs Archer, Askew, Barnett, Barry, Black of Bowie, Black of Randolph, Blackwood, Bobo, Brinkley, Brown of Lee, Brown of White, Brumpass, Burns, Carter, Chick, Conway, Coody, Creekmore, Dickinson, Eltzroth, Fishback, Fraser, Gillam, Greening, Hare, Harrison, Holden, Holifield, Holmes, Hondum, Jameson, Jordan, Joyner, Kemp, King, Lee of Howard, Lowdermilk, Lowe, Maynard, Martin, McConnell, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Moore, Morris of Conway, Morris of Stone, Murphy, Owen, Priddy, Riddick, Richardson, Roden, Simmons, Sinnott, Stanley, Tate, Turner, Tyson, Walker of Washington, Warner, Washburn, Weir, Williams, and Mr Speaker.

A quorum present.

Messrs Thomas, Barker, Braly, Davidson of Sharp, Brewer, Charles, Cunningham, Payne, Keith, Minor, Britt, Pindall, Davidson of Izard, Hanly, Black, Dawson, Fimbrush, and Martin, answered to their names.

Mr Moore from the Committee on Retrenchment made the following report:

Mr Speaker:

The Committee on Retrenchment, to whom was referred House Bills Nos. 2 and 123, have had the same under consideration, and would beg leave to offer substitutes for both Bills. The substitutes agreed upon by your committee, are herewith submitted with the recommendation that they do pass.

H.B. No. 142. Sub for H.B. 2 — House Bill No. 142 being substitute for H.B. No. 2. "A bill for an act entitled an act to abolish the offices of Adjutant General Superintendant of Public Instruction, and Commissioner of State Lands."

Was read the first time.

And,

On motion of Mr Turner,

The rules were suspended, and the bill read a second time.

Mr Fraser moved, to amend the Bill, by striking out the second section.

A message was announced from the Senate, Whereupon Mr. Falkerly, assistant Secretary, appeared within the bar of the House and read as follows;

Senate Chamber.
Feby 5th 1879.

Mr Speaker. I am instructed by the Senate to again report to your Honorable Body the passage of Senate Bill No 23. "An act entitled an act, to provide for a Bond for costs in suits to contest elections in the Circuit Courts and County Courts of this State."
S.B. No. 23
and herewith respectfully transmit the same for your favorable consideration.
Lon T. Stutchman.
Secy.

The question being upon the motion of Mr Fraser to amend, House Bill No. 14r.

The ayes and nays, were called for and the call sustained,

Mr Taylor, appeared and answered to his name,

On motion of Mr Brown of White, the courtesies of the House were extended to Messrs. Black, McCauley, and Harden.

Mr Dawson moved that the further consideration of HB# 14r. be postponed to Tuesday next at 10:30 Oclock a.m.
Which was not agreed to.

The question recurring on the adoption of the amendment offered by Mr Fraser
The Clerk called the roll, when the following members voted in the affirmative, Messrs: Barnett, Barry,

Blackwood, Brewer, Brown of Lee, Brown of White, Conway, Coody, Cunningham, Dawson, Dickinson, Fishback, Fraser, Furbush, Gillam, Hanly, Hare, Hendren, Jameson, Lowdermilk, Lowe, Maynard, McMurtrey, Miller of Clark, Morris of Carroll Murphy, Payne, Pindall, Pruden, Riddick, Richardson, Roden, Simmons, Sinnott, Taylor, Tyson, Weir and Mr Speaker. 38.

The following members voted in the negative. Messrs Archer, Askew, Barker, Black of Boone, Black of Randolph, Bobo, Brady, Brinkley, Britt, Brumbaugh, Bunn, Carter, Chuck, Creekmore, Davidson of Chark, Davidson of Izard, Deltman, Dilphin, Greening Harrison, Holder, Holifield, Holmes, Jordan Joyner, Keith, Kemp, King, Lee of Howard, Mack, Martin, McCarnell, McCracken, Miller of Conway, Minor, Moore, Morris of Stone, Owen, Priddy, Stanley, Tate, Thomas, Turner, Walker of Washington, Warner, Washburn and Williams 47.

So the amendment was lost.

Mr Tate moved to ~~further~~ amend the bill by striking out the third section.

Mr Fishback moved to defer further action on the Bill, until Tuesday next.

Which was not agreed to.

Mr Furbush moved that the bill be laid on the table.

Which was not agreed to.

The question then recurring on the motion of Mr Tate, to strike out third section of the Bill.

Mr. Turner called for the yeas and nays, which call was sustained.

The Clerk called the roll, when the following members voted in the ~~affirmative~~ affirmative Messrs. Askew, Blackwood, Brewer, Britt, Conway, Dickinson, Dilphin, Fraser, Holifield Hendson, Miller of Clark, Minor, Murphy.

Smoak, Brady, Avaritt, Richardson, Inmate
Dale, and Mr Speaker 20.

The following members rose in their
places Messrs Roche, Barnett, Bartlett, Barry,
Black of Boone, Black of Randolph, Bobo,
Brady, Brinkley, Brown of Lee, Brown of White,
Brumpass, Burns, Carter, Chick, Coody,
Creekmore, Cunningham, Davidson of Sharp,
Davidson of Izard, Dawson, Fellers, Fishback
Furbush, Gillam, Greening, Hanly, Hare,
Harrison, Hendrix, Holden, Holmes,
Jamison, Jordan, Joyner, Keith, King
King, Lee of Horan, Londermilk, Love,
Mabry, Minor, Martin, McComas, McC.
Oraden, McMurtrey, Miller of Conway,
Moore, Morris of Carroll, Morris of Stone,
Payne, Pickett, Rodgers, Simmons Franklin
Taylor, Thomas, Trotter, Tyson, Walker
of Washington, Warner, Washburn, Wear
& Williams 65

So the amendment was lost

Mr Cunningham moved the following amend-
ment to the title viz:

Be it further enacted
that this act take effect and be in force
from and after the next general election
of State officers in the year 1880

Which motion the first time

And on motion the rules were suspended
and the Amendment read a second time

On motion of Mr Conway the Bill and
amendments were referred to the Committee
on the Judiciary

The next Bill being
H.B. No. 143. Substitute for H.B. No. 123
for H.B. No 143 "A bill for an act to be en-
titled "An act to reduce the salaries of
the officers of the Executive & Judicial
Departments of the State Government.
To reduce the number and to fix the sala-
ries of Clerks and employees of the same.
To retrench the per diem of Members

of the General Assembly, And to reduce the Number and to fix the Compensation of Officers, Clerks and Employees of the Same"

~~Which~~ was read the first time

On Motion of Mr Durrum the rules were suspended and the Bill read a second time

Mr Joyner moved to amend the Bill as follows

Mr Speaker I move to Amend Section 7. by making the Salary of the Attorney General $1000 instead of $2000.

Mr Mack moved to amend the Bill as follows

"Amend Section 13 by striking out the words "One Chaplain of the Senate And one Chaplain of the House, & he shall each receive the Sum of five dollars per day"

Mr Durham moved the following Amendment

Amend Section 10, by Striking out the words "One Land Clerk"

On motion of Mr Morris of Stone the Bill and Amendment were referred to the Committee on the Judiciary

On Motion of Mr Dale the House at 4 11 O.Mk adjourned

John G. Barnard Clerk

J. D. Bearden Speaker

House of Representatives

Little Rock, Arkansas
Thursday February 6th 1879

The House met pursuant to adjournment at 9 o'clock A.M.

The clerk called the Roll;
The following members answered to their names.
Messrs Archer, Askew, Barnett, Barton, Berry, Black of Boone, Black of Randolph, Blackwood, Bobo, Brady, Brewer, Brinkley, Britt, Brown of Lee, Brown of White, Bumpass, Burns, Curtis, Chick, Conway, Cooley, Crudgington, Cunningham, Davidson of Clark, Davidson of Izard, Dawson, Dickinson, Dittmer, Disbrow, Dildine, Fraser, Furbush, Gillam, Greening, Hailey, Harrison, Hinkle, Hatfield, Holmes, Hudson, Jamison, Jordan, Joyner, Keith, Kemp, King, Lee of Hempstead, Londermilk, Love, Mack, Maynard, Martin, McConnell, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Carroll, Morris of Stone, Mountcastle, Oram, Payne, Pindall, Priddy, Quarles, Richardson, Rodgers, Simmons, Sinnott, Stanley, Tate, Timmons, Turner, Dyer, Wann, Washburn, Weir, Williams and Mr Speaker
a quorum present

Rev. Mr. Caples Editor of the Western Baptist offered Prayer
On motion of Mr Moore, Mr Wader of Washington was excused on account of sickness

Miss Taylor, Dunn and Riddick announced to their names

On motion of Mr Brown of White the Courtesies of the House were extended to Mr Connell

The clerk read the Journal of yesterdays proceedings and there being no objection the same was approved and signed by the Speaker and Clerk of the House

The Speaker laid before the House Reports

of the Superintendant of the Penitentiary to the Trustees of said Institution, together with a this & upon in response to a resolution introduced by Mr Burton and adopted by the House, which on motion of Mr Barnett was referred to the Committee on Penitentiary. together with the following accompanying Communication from the Governor

State of Arkansas
Executive office
Little Rock Feb 5th 1879

Hon J. T. Bearden
Speaker of the House of Representatives.

Sir.

In compliance with the resolution of the House, I herewith transmit, for the use of that body, the quarterly reports of the Penitentiary Physicians for the years 1877 and 1878.

Not having time to copy them I send the originals, with the request that they be returned to this office when the House is thro' with them.

Very Respectfully
W. U. Miller
Governor

Mr Cunningham moved a suspension of the rules for the purpose of introducing bills.
The House refused to suspend the rules

Mr Dickinson from the Committee on the Judiciary made the following Report

Mr Speaker

H.B. No 40 Your Committee to whom was referred H.B. # 40 Entitled "An act to donate certain lands to the Washington and Hope Railroad Company" beg leave to report the same back with the recommendation that it pass

Mr Conway moved that rules be suspended and bill read 3d time and placed upon its passage

The House by a rising vote of 40 ayes to 27 nays refused to suspend the rules

On motion of Mr Conway H.B. No 40 was made

Special order for to morrow morning at 10. o'clock

Mr Fraser moved for a suspension of the rules that
H.B. No 17. may be taken up
N.B. #17 Which was not agreed to

Mr Archer from Committee on Cities and towns
made the following report Mr Speaker

Your Committee on Cities and Towns to whom was
referred H.B. No 39. would respectfully report
the accompanying Substitute and recommend
its passage

The Substitute for H.B. No 39 being
N.B. #144 H.B. No. 144 "An act to amend an act entitled
Sub for #39 "An act to provide for the improving of the streets
and alleys and public grounds of Cities of
the Second Class in this Province"
Which was read the first time

also the following

Mr Speaker

The Committee on Cities and Towns to whom
N.B. #53. was referred H.B. No 53 would respectfully
report that they have considered said Bill
and propose certain amendments and recommend
its passage

also the following Mr Speaker

The Committee on Cities and Towns to whom
was referred a memorial from the Mayor
and Council of the City of Fort Smith praying
N.B. #145. recommend that the prayer of the memorial
asto be granted and report the accompa-
nying Bill and recommend its passage

The bill being H.B. No 145 "An act to
amend an act entitled "An act for the
incorporation, organization and government
of Municipal Incorporations"
Which was read the first time

Mr. Brady from the Committee on Engrossed Bills
N.B. #106 reported H.B. No 106. correctly engrossed

Mr Jamieson from the Committee on State
Charitable Institutions reports as follows
Mr Speaker

H.B# 27 Your Committee on State Charitable Institutions hereby had under Consideration H.B No 27 Entitled "An act to make appropriations for certain purposes, and to certain Conditions for the Benevolent Institutions of the State in Cases where the State fails to make the necessary appropriations therefor" beg leave to return the same with the recommendation that it do not pass, there being objection to the same on Constitutional grounds, as suggested by the Sec. 29. Page 15. Constitution of 1874.

Mr Coody gave notice that he will move a reconsideration of the vote by which H.B. No 136. passes

Mr Coody from the Committee on Circuit and Justices courts reports as follows.

Mr Speaker

H.B# 42 Your Committee to whom was referred H.B No 42 would respectfully report the same to the House with a recommendation that the same do pass

Also the following

Mr Speaker

H.B# 47 Your Committee to whom was referred H.B. No 47 having considered the same, do respectfully report the same back, with a recommendation that the same do not pass

Also the following

Mr Speaker

H.B# 51. Your Committee to whom was referred H.B. No 51. would respectfully report the same back, with a recommendation that the same do not pass.

H.B# 87 On motion of Mr Pinson H.B. No 87. was made Special order for Thursday next at 11. Oclock A. M.

H.B# 138 Mr Archer moves that rules be suspended and that H.B. No 138 be taken up which was not agreed to

H.B. 1116

On motion of Mr Barry the rules were suspended and
H.B. No 106 was at this time
The question being shall the bill (H.B No 106)
pass
The Clerk called the roll
The following
members rate in the affirmative:
Messrs. Archer, Arbury, Barnett, Barton, Barry,
Black of Boone, Black of Randolph, Blackwood,
Cobb, Bray, Brewer, Brinkley, Britt,
Brown of Lee, Brown of White, Brumpass,
Burns, Carter, Church, Conway, Casey, Creech,
More, Cumming, Cunningham, Davidson of Charles
Davidson of Iredell, Dunn, Dickinson, Doltey,
Mr Fishback, Gilmore, Fraser, Frisbuck,
Gilliam, Gunning, Hardy, Hare, Harrison,
Holden, Hartsfield, Holmes, Hudson,
Jamieson, Jordan, Journ, Keith, Kemp,
King, Lee of Harnett, Lockhart, Love
Medlin, Maynard, Mewborn, McCormick,
McMurray, Miller of Clarke, Miller of Cumb,
Gray, Monk, Moore, Morris of Granville,
Morris of Stone, Murphy, Orren, Payne,
Randall, Reddy, Rhodes, Richards,
Richardson, Rodwell, Simmons, Stanley,
Tate, Taylor, Thomas, Turner, Tyson and
Vann, Washburn, Weir, Williams and
Mr Speaker. 82.

In the affirmative 82.
In the negative none
Absent and Excused 10
92
So the Bill passed

Mr McCormick from the Committee on Enrolled Bills reported as follows
Mr Speaker
Your Committee on Enrolled
Bills be directed to report that they have ex-
H. Bills amined H. Bills Nov. 4, 30 and 88 and find
Nov 4, 1888 said Bills correctly Enrolled Signed by the
Speaker of the House and President of the Senate
and have presented them to the Governor for
his Consideration
McCormick
Chairman

The Sergeant at Arms announced a Message from the Senate
Mr Gaitherly the Assistant Secretary of the Senate appeared and read as follows

Senate Chamber
Feby 6. 1879.

Mr Speaker

I am instructed by the Senate to inform your honorable body of the rejection of H.J.R. Nos. = & the H.C. Congress requesting a grant of twenty acres at Hot Springs for the location of an Insane Asylum and herewith return the same

H.J.R. #1

Also

H.B. #29 the passage of H.B. No 29 = An act to define and extend the Jurisdiction of Justices of the Peace in certain Cases

Also

H.B. #64 H.B. No. 64. A bill to be entitled "An act to amend an act entitled "An act to establish Fees" approved Feby 26th 1875. And herewith respectfully transmit the same for your favorable Consideration

Lou D. Kretschman
Secretary

Mr Conway offers the following Resolution

Resolved: That hereafter when any member is desirous of explaining his vote, he shall do so in writing and send the same to the Clerks desk after the roll call is completed; & except when the previous question is ordered

Mr Dishaek moves to amend by inserting the word "only" after the words "shall do so" which was agreed to.

Mr Brady moves to further amend by striking out the last Clause of the resolution after the word "Omitted"

Mr Bobo moved for the previous question which was sustained

The question being upon the motion of Mr Brady to Strike out the last clause.

Upon which motion Mr Murphy called for the ayes and nays. Which was sustained

The Clerk called the Roll; The following members voted in the affirmative Messrs Barry, Bobo, Brady, Burns, Curtis, Conway, Coady, Cumming Cain, Richardson, Sharp, Pritchett, Philips, Jordan, Keith, Lowe, Mack, Miller of Clark, Minor, Morris, Morris of Cussell, Riddick, Taylor, Turner, Tyson and Mr Speaker 24.

The following members voted in the negative Messrs Archer, Askew, Burnett, Burke, Black of Boone, Black of Randolph, Blackwood, Brewer, Brinkley, Britt, Brown of Lee, Brown of White, Brumpass, Bruce, Church, Cruikshank, Davidson of Sharp, Davidson of Surry, Dawson, Dellinger, Dickinson, Dolphin, Fraser, Gilliam, Grimsley, Hall, Hairfield, Holmes, Hudson, Joyner, Kemp, King, Maynard, Martin, McConnell, McMurtray, Miller of Cumberland, Morris of Stanly, Murphy, Owen, Payne, Pierce, Priddy, Rhodes, Richardson, Roberts, Simmons, Sinnott, Stanly, Tate Timms, Vann, Washburn, Winslow and Mr Speaker 67.

So the motion to strike out was lost

Mr Brower moved to lay the Resolution upon the table

Mr Richardson called for the Ayes and Nayes; which was sustained

The Clerk called the Roll:

The following members voted in the affirmative Messrs Archer, Askew, Black of Boone, Brady, Brinkley, Brown of Lee, Brown of White, Brumpass, Bruce, Church, Cruikshank, Davidson of Sharp, Davidson of Surry, Dawson, Dellinger, Dickinson, Dolphin, Fraser, Gilliam, Hairfield, Holmes, Joyner, Kemp, King, Maynard, Martin, McCracken, Miller of Cumberland

Morris of Stone, Mundy, Orew, Payne, Evans, Simmons, Emmett, Daly, Trachburn, Abs Mc, Liams 38

The following members voted in the Negative Mess Barnett, Barry, Black of Randolph, Blackwood, Bobo, Brewer, Britt, Cantw, Conway, Cook, Cunningham, Fishback, Greening, Hadley, Han, Harrison, Holden, Hudson, Jamieson, Jordan, Kent, Lee of Harnett, Londermilk, Love, Mack, McDonald, McMurtry, Miller of Chath, Minor, Moore, Morris of Carrol, Pindall, Priddy, Riddick, Richardson, Roden, Stanly, Sayler, Thomas, Worth, Lyon, Wands, Wein Mr Speaker 46.

So the Motion to table was lost

The question then recurring on the adoption of the Resolution

Mr Stanly moved to amend by inserting "which said written explanations shall be severally spread on the Journal

Mr Morris of Carroll moved to amend the amendment by striking out Mr Stanly's amendment and inserting the words "Which explanations shall be sent to their Constituents.

Which was adopted

On motion of Mr Barnett the entire subject Matter was laid on the table.

Mr Morris of Stone offered the following Resolution

H J R # 6
H. B. # 15

Resolved, That H.J.R No 6. and also H.B. No 15. Relative to Constitutional Amendments now in the hands of the Judiciary Committee be recalled and referred to the Special Committee on Constitutional Amendments

Which was adopted.

Mr Barry offered the following Resolution

Whereas; There are now 80 bills on the

on the Clerks desk which shall be read at the time and referred to the appropriate Committee and

Whereas; There are other bills which members of this House are anxious to introduce and have referred to appropriate Committees and

Whereas; The work of the various Committees is delayed on account of a want of a reference of said bills and

Whereas; The various Committees of this House with about two Exceptions are idle. and

Whereas; The time allotted for the work of this General Assembly is short and about one half of it has already passed and comparatively nothing has been done

Therefor be it

Resolved; That this House hold an afternoon session Commencing at 2 P.M. Each day for the purpose of taking up bills on Second reading and referring them to the appropriate Committees and for the introduction of new bills

Mr Simmons moved the adoption of the resolution

Mr Morris of Stow moved to amend the resolution by saying 3:30 oclock P.M. in place of 2. P.M.

On motion of Mr Barnett the resolution was Tabled

NJR#19 Mr Black of Boone offered N.J.R. No 19 "Proposing an Amendment to the Constitution" Which was read the first time.

On motion of Mr Harrison NJR No 19. was rejected.

The Sergeant at Arms announced a Message from the Senate

Mr Dalbey its Assistant Secretary appeared and read as follows

Senate Chamber
Feby 6th - 1879

Mr Speaker

S.B. # 69. I am instructed by the Senate to inform your honorable body of the passage of S.B. No 69. — A bill to be entitled An act to provide for holding a special term of the County Court of Shiawassee County" and herewith respectfully transmit the same for your favorable consideration

Lorin D. Kreckman
Secretary

Mr Cunningham offered the following Resolution

Resolved. That it is the judgment of this House that a generous Encouragement should be given to the Railroad interests of this State by such friendly legislation and in Constitutional limits, as will induce capitalists to invest their means at once Enterprises

Which was adopted

Mr Hanby presented report of the Convention of Circuit Judges and Prosecuting attorneys of this State, which on his motion was referred to the Committee on Circuit and Justices Courts

On Motion of Mr Murphy the Courtesies of the House were extended to Mr Carnall

Mr Minor moved the following

Mr Speaker

C.H.B. # 53 I move that H.B. No 53 together with the report of the Committee on Cities and Towns be referred to the Committee on the Judiciary

Which was adopted

Mr Berry offered the following Resolution

Resolved. That the House accept the invitation to visit the blind Institute. Also the generous offer of the Street R.R. to furnish Cars to take the members to and from the Institute and that this House visit said Blind Institute on next Saturday at 2 P.M.

Which was adopted.

HJR# 12 Mr Taylor moved that rules be suspended, and a vote that HJR No 12 be taken up and agreed to

Which was not agreed to

HJR# 20 Mr Richardson introduced H.J.R. No 20. "Joint Resolution proposing and amendment to the Constitution of the State

Which was read the first time

Mr Richardson moves that rules be suspended and HJR# 20 read second time

The House refuses to suspend the rules

HJR# 21 Mr Richardson introduced HJR No 21. Joint Resolution proposing an amendment to the Constitution

Which was read the first time

Mr Richardson moved for a suspension of the rules and that HJR# 21 be read 2d time

The House by a vote of 35 ayes to 30 nays refuses to suspend the rules.

HCR# 1. Mr Moore, introduced H.C. R# 1. "Concurrent Resolution in regard to Constitutional Amendments

Which was read and adopted

Mr Green offered the following Resolution

Whereas; It is found expedient business before this General Assembly if less time is used by the members in making explanatory speeches of their votes, which has no effect upon the matter considered:

Therefor be it Resolved: That no member of this General Assembly be allowed a longer time than five minutes to make such explanation

Mr Downing moved to amend by saying three minutes

Mr Downey moved to further amend by saying one minute

On Motion of Mr Barnes the subject matter

was tabled.

On motion Mr Gray was called to the Chair

The Speaker.

Introduction of bills being in order
The Clerk made call of the roll

H B # 146 Mr Mein introduced H.B. No 146. A bill to be entitled "An act for the relief of purchasers of Internal Improvement Lands"
Which was read the first time

H B # 147 Mr Gunn introduced H.B. No 147. A bill to be Entitled "An act to allow redemption of forfeited Lands and to provide for the disposition of the same when redeemed &c
Which was read the first time

H B # 148 Mr Gunn introduced H.B. No 148. A bill for "an act to amend the Road Laws of this State"
Which was read the first time

H B # 149 Mr Thomas at the request of Mr Blackwood introduced H.B. No 149 "A bill for an act to be Entitled an act to Amend the act Entitled An act to authorize the several Counties in this State to fund their outstanding indebtedness Evidenced by bonds of said Counties heretofore issued"
Which was read the first time

H B # 150 Mr Thomas at the request of the same introduced H.B. No 150 "A bill for an act to be Entitled an act to tax non resident trappers, hunters and seines"
Which was read the first time

A Message was announced from the Governor
by Genl Conway the Private Secretary
to the Governor as follows

State of Arkansas
Executive office
Little Rock Feb 6th 1879

To the Speaker of the House of Representatives,
Mr Speaker: I have this day approved and signed the following named bill, viz:

H B # 39 H.B. 39 "An act to amend an act to fix the time of holding Circuit Court in the County of Ashley

H.B.#88 H.B. 88. "An act to change the time of holding the Courts in the Fourth Judicial Circuit in this State"

H.B.#4 H.B. 4 "An act to supply deficiencies in the appropriation for Salaries of Supreme, Circuit and Chancery Court Judges, for the two years ending March 7th 1870"

M. R. Hulbert
Governor

H.B.No 151 Mr Taylor introduced H.B. No 151. A bill to be entitled an act to amend section one of an act requiring fines and penalties to be paid into the County Treasury for County purposes; approved December 14th 1875

Which was read the first time

H.B.#152 Mr Taylor introduced H.B. No. 152 "An act to regulate the Collection of County taxes"

Which was read the first time

H.B.#153 Also H.B. No 153 "Bill creating a State Board of Health and regulating the practice of Medicine and Surgery in the State of Kansas"

Which was read the first time

H.B.#154 Mr Dale introduced H.B. No 154 "An act to be entitled "An act to regulate the manner of selecting Grand and Petit Jurors and for other purposes"

Which was read the first time

The Speaker resumed the Chair

H.B.#155 Mr Dale introduced H.B. No 155. An act Entitled "An act to provide for the change or removal of County Seats"

Which was read the first time

Mr Barnes moved that the House take a recess to 2:30 o'clock P M

Mr Manser asked Leave of absence for Mr Stanley ~~Richard~~ to morrow

Which was granted

Mr Dishlace moved that the

House now adjourn
The question was put
and the House at 12:22 o'clock P.M. adjourned

John G. Holland
Clerk

J. J. Bearden
Speaker

House of Representatives

Little Rock. Arkansas
Friday February 7th 1879

The House met pursuant to adjournment at 9:30 Oclock A M.

The Clerk called the roll, The following members answered to their names Mess Archer, Baker, Barton, Barry, Black of Boone, Black of Randolph, Blackwood, Bolen, Brady, Brewer, Brinkley, Britt, Brown of Lee, Brown of White, Bumpass, Burns, Cantrell, Cate, Conway, Cooley, Cruthirds, Cummings, Davidson, Davidson of Clark, Davidson of Izard, Dawson, Dewley, Dickinson, Dotson, Dibbin, Fraser, Fairbank, Gillam, Greening, Hanly, Hare, Harmon, Holding, Holland, Holmes, Hudson, Jameson, Jordan, Jowers, Keith, Kemp, Kirby, Lee of Howard, Lee of Martin, Lewis, Little, Mack, McCain, McCracken, Mc. Murtrey, Miller of Conway, Minor, Morris of Carroll, Morris of Izard, Murphy, Owen, Payne, Pindall, Priddy, Rawls, Riddick, Richardson, Rodgers, Simmons, Skinnell, Tate, Taylor, Thomas, Turner, Tyson, Walker of Washington, Wann, Washburn, Wren, Williams and Mr Speaker 81 a quorum present,

Revd Mr Watson offered prayer

Mess Mann of Clark, Dishaw and Burnett answered to their name

The Clerk read the Journal of yesterdays proceedings and the correction made so as to show that S.B.# 149 introduced by Mr Turner was so introduced by him for Mr McCracken After which the Journal was approved and signed by the Speaker and Clerk of the House

By unanimous consent leave was granted Mr Hanly to call up S.B.# 69 and on his motion the rules were suspended

S.B.# 69

and H.B. No 69 "A bill to be entitled" an act to provide for holding a Special Term of the County Court of Phillips County ark and the first time read

On further motion the rules were suspended and the Bill read a second time and made Special order for to morrow morning at 10. Oclock

The hour of 10. Oclock A.M. having arrived the Speaker announced H.B. No 40 Special order for this hour

Mr Pindall moved that the bill be read a third time and placed upon its passage Which was agreed to

H.B. 40. The bill (H.B. #40) was then read a third time

The question being shall the bill pass The Clerk called the roll When the following members voted in the affirmative Miss Ashley, Barnett, Barton, Berry, Black of Boone, Bobo, Brady, Brewer, Brinkley, Britt, Brown of Lee, Bumpass, Curtis, Conway, Dickinson, Felton, Fishback, Furbush, Gillam, Gunning, Hanly, Hare, Harrison, Haskell, Hatfield, Hollins, Hudson, Jamison, Joyner, Keith, Kemp, Lee of Howard, Lee of Minter, Lofflemon, Mack, Maynard, McLemore, McMurtrey, Miller of Clark, Moore, Morris of Cusack, Morris of Stone, Owen, Pindall, Priddy, Rawls, Riddick, Richardson, Rodgers, Simmons, Sinnott, Tyson, Waddle of Washington, Washburn, Weir, Williams and Mr Speaker 56.

The following members voted in the Negative Miss Black of Randolph, Blackwood, Brown of White, Burris, Cheek, Coody, Cracmore, Cunningham, Davidson of Thurman, Davidson of Izard, Dawson, Decuir, Frazer, Jordan, Kirby, Martin, Miller of Conway, Minor, Murphy, Payne, Tate, Taylor, Thomas, Turner and Wanker 25

Excused Miss. Archer, Shippen 2.

In the affirmative 56
In the Negative 25
Excused from voting 2
Absent & not voting 9
9½

So the bill (H.B

No. 40) passed

Mr Wright answers to his name.

Mr Minor from the Committee on the Judiciary in response to a resolution adopted by the House on yesterday made the following report

Mr Speaker

The Committee on Judiciary have had under consideration H.J.R.# proposing an amendment to Sec. 22 Art 7. of the Constitution. H.J.R.# proposing an amendment to Sec 22 of Art. 10 of the Constitution, and H.J.R. #6 proposing an Amendment to Section one, two, four and five of Art. Nine of the Constitution and of H.J.R.# 11. proposing an amendment to the Constitution and H.B.# 15. proposing an amendment to Article 9. of the Constitution, and have directed me to report the same back to the House, with the recommendation that said Resolutions and Bills, be referred to the Joint Committee of the two Houses of this General Assembly on Constitutional Amendments.

And

On motion of Mr Minor the report was adopted.

H.B.# 136 Mr Coady in accordance with a previous notice called up H.B.# 136 and moved that the rule by which the bill (H.B.# 136) passed be reconsidered

Mr Barnett moved to lay the motion on the table

The ayes and noes being called for and sustained

The Clerk called the roll when the following rate in the affirmative Messrs Archer, Ashburn, Barnett, Burton, Berry, Black of Brown, Blackwood

Gray, Brewer, Brinkley, Brown of Lee, Burns, Curtis, Cuneo, Conway, Cunningham, Davidson of Sharp, Davidson of Izard, Dickinson, Dotterer, Dupree, Durbeck, Gilliam, Greening, Hardy, Hare, Harrison, Holden, Hudson, Jamison, Keith, Kennedy, Lorderman, Maitland, Martin, McMurtrey, Mills of Clark, Mills of Conway, Morris of Howe, Neely, Payne, Pindall, Priddy, Quarles, Richardson, Simmons, Sinnett, Tate, Taylor, Turner, Tyson, Wallace of Washington, Weir, Wright and Mr Speaker — 55

The following-named were voted in the negative. Messrs Black of Randolph, Bobo, Britt, Brown of White, Bynum, Cosby, Crenshaw, Dawson, Denley, Dishcaeb, Draper, Edmondson, Holmes, Jordan, Joyner, King, Lee of Howard Lee of Hempstead, Mack, McConnell, Mosier, Moore, Morris of Carroll, Murphy, Riddick, Rodgers, Thomas, Walsh, Washburn and Williams — 30

So the motion to table was adopted.

H.B. #156 Mr Wright asked and obtained leave to introduce H.B. No 156. A bill for an act to be entitled "An act to make valid the surrender of all certificates of purchase of School Lands, Seminary, Saline, and Internal Improvement Lands, since the 22d day of March 1869 and for other purposes" Which was read the first time and On motion of Mr Pindall the rules were suspended and the bill read a second time and referred to the Committee on State Lands.

H.B. #157 Mr Sinnett introduced H.B. No 157. A bill to be entitled an act to prescribe the effect of unrecorded Mortgages Which was read the first time

Mr Conway moved that it be engrossed and read a third time — Which was not agreed to

H.B. #158 Also H.B. No 158 A bill for an act to be

entitled "An act to establish a uniform system of Insolvency"
Which was read the first time

NB# 159 Also (for Mr Smith) N.B# 159. An act to be entitled "An act for the adjustment and payment of Claims against the State on account of property purchased or taken by the Military forces of the State between the years 1861 and 1874, and for the reimbursement of Claims heretofore disallowed"
Which was read the first time

Mr Hobson explained and moved to his name

Mr Britt moved that the rules be suspended and the bill (N.B# 159) be read a second time
Which was not agreed to.

N.B# 160. Mr Simmons introduced N.B# 160 An act to be Entitled "An act to change the boundary line between Lincoln & Gaston and Rowan Counties and for other purposes".
Which was read the first time

N.B# 161. Mr Rodman introduced N.B# 161. A bill for an act to create a School fund in the State"
which was read the first time

On motion of Mr Williams the Courtesies of the House were extended to Col Ramsay

Mr Archer rose to a question of privilege and moved that the Report submitted to the House, made a resolution adopted by the House, calling upon the Committee on Ways and Means to report as to indebtedness of the State &c; be recommitted for correction
Which motion was adopted.

Mr Dunn of Sharp moved that Mr Archer be added and act with the Committee for that purpose

Mr Manly of Washington moved an

recommended that Mr Sorchu be added to the Committee on Ways and Means as a permanent member thereof
Which amendment was adopted

HB# 162 Mr Rodin introduced HB# 162 A bill to be entitled "an act to change the apportionment of this State and to reduce the number of Representatives and Senators of the Legislature"
Which was read the first time

HB# 163 Also HB# 163 A bill to Enumerate the deaf, dumb, blind and Insane persons of the State of Arkansas"
Which was read the first time

HB# 164 Mr Richardson introduced HB# 164 An act entitled an act to amend sections 2267 & 2269 of Gantts Digest and to repeal section 2268 of Gantts Digest"
Which was read the first time

On Motion of Mr Pickens the rules were suspended for the purpose that Mr Cunningham may offer a resolution

Mr Cunningham offers the following resolution

Whereas; For the sum of $10,000.00 the State of Arkansas can buy the celebrated Sulphur Springs of Yell County including four hundred and Eighty (480) acres of land lying in a Solid body; Eighty acres of which is on a Condition for immediate Cultivation and

Whereas; There is a building on said tract of land containing 56 rooms, which it is believed can be utilized for an Insane Asylum and there is also several Cottages among other buildings, built for the proprietor of said Springs which is suitable for the residence of the Superintendent and

Whereas; There are many other improvements on said property one of which cost not less than $20,000 and

Whereas; The Waters of said Spring are well known for their medicinal qualities; the Scenery, for its beauty and the Climate for its

Salisbury: Structure

Be it Resolved, That after said Committee of three members of this House be appointed by the Speaker to visit said Springs in Connection with a Committee that has already been appointed by the Senate for that purpose to inquire into the feasibility of Converting said premises into an Insane Asylum and the advisability of buying the same.

Mr Barnes moved to amend by appointing a Committee to visit also Bradley County

Mr Fraser moved to further amend by inserting also Van Buren County

Mr Barry moved to amend the Original resolution by inserting that the Committee also visit Hot Springs

which Amendment was agreed to

The Resolution as amended by Mr Barry was adopted.

NB#165 Mr Richardson introduced N.B. No 165. An act to be entitled "an act to amend section 11. of an act approved December 10th 1875 entitled an act to amend Section 4. to 66 inclusive, of an act to establish fees, approved Oct 26th 1875

Which was read the first time

Mr. Riddick introduced

NB#166 N.B. No 166. An act to prevent unjust discrimination in the rates charged for the transportation of passengers and freight on the Railroads of this State.

Which was read the first time

NB#167 Mr Riddick introduced N.B. No 167 An act entitled an act for the relief of Alvin Evans and Benjamin McGoodwin

Which was read the first time

NB#168 Mr Quinn introduced N.B. No 168 A bill to be entitled an act to repeal an act Entitled an act authorizing the Construction of a levee and approved on the 26th day of April 1873

Which was read the first time

The Sergeant at Arms announced a Message from the Senate by Mr Dabney the Assistant Secretary of the Senate approved and read as follows.

Senate Chamber Feby 7. 1879

Mr Speaker

I am instructed by the Senate to inform your Honorable body of the passage of

H.C.R.# 1. H.C.R. No 1. Concurrent Resolution in relation to a Constitutional Amendment

and herewith return the same

Lou. D. Kretschmar. Secretary

On motion of Mr Robeson Mr Conway was granted Leave of Absence for to morrow

And on Motion of Mr Mann Mr Cody was granted Leave of absence for to morrow

H.B.# 169 Mr Curtis introduced H.B. No 169. "A bill to be entitled "An act to provide for and require the destruction or Cancellation of all the Lunenburgh bonds now held, before a specified &c"

Which was read the first time

Mr Gilbert moved that rules be suspended that bill may be read a second time

Which was not agreed to

H.B.# 170 Also H.B. No 170 "A bill entitled "An act to repeal Sections 1512, 1513, 1514, 1515 of Revised Statutes &c &c

Which was read the first time

H.B.# 171 Also H.B. No 171 An act Amendatory of Existing laws in regard to the publication of legal notices

Which was read the first time

H.B.# 172 Mr Brady introduced H.B. No 172 An act entitled an act for the benefit of Fort Smith District High School located in Sebastian in the County of Logan

Which was read the first time

Mr Lecky moves that rules be suspended and bill read second time which was not agreed to

H.B. 178 Mr Sinclair introduced H.B. No 178. A bill to be an act entitled "An act making an appropriation to refund to certain taxpayers of Lincoln County taxes illegally collected from them and paid into the State Treasury in the year 1872"
Which was read the first time

On motion of Mr Cobb Mr Brown of Mich was granted leave of absence

On motion of Mr Thomas the House at 12.15 P.M. took recess to 2 o'clock P.M.

After Recess
2 O'clock P.M.

The Clerk called the roll; the following members answered to their names.
Mess Archer, Adler, Barnett, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Bray, Brenan, Britt, Brown of Lee, Brown of White, Burgess, Burns, Cantu, Church, Conway, Cosby, Cyphers, Davidson of Shelby, Davidson of Lee, Dellinger, Dishroon, Durham, Gilliam, Gunning, Haney, Harrison, Hatcher, Holden, Hoskins, Hudson, Jameson, Jordan, Joyner, Kerr, Kemp, King, Lee of Warren, Lee of Martin, Lowenstein, Lowe, Mack, Mann and Martin, McConnell, McCracken, McGilvray, Miller of Clark, Miller of Conway, Minor, Moody, Morris of Cleveland, Murphy, Orton, Payne, Priddy, Quarles, Reid, Richardson, Rodman, Simmons, Sinnett, Tate, Taylor, Thomas, Turney, Tyson, Warren, Washburn, Weir, Wilkins and Mr Speaker
to Quorum present

H.B. 174 Mr Payne introduced H.B. No 174 An act

to be entitled An act to define Sheriffs duties in the foreclosure of Mortgages and for other purposes
which was read the first time

H.B.# 175 Mr Doran introduced H.B. No 175. An act regulating voting
which was read the first time

Mr Dale moved to reject the bill
which was not agreed to

H.B.# 176 Also H.B. No. 176 "An act regulating the use of Spirituous liquors"
which was read the first time

On motion of Mr Durbrow the rules were suspended and H.B. No 138 taken up.

H.B.# 138 Mr Durbrow of Sharp moved that bill be read a second time
which was agreed to

The bill (H.B.# 138) was then read a second time

Mr Durdrow of Sharp moved to amend bill by striking out Section 8.

Messrs Paine of Washington, Cummings and Baker (successor to their names also Messrs Dickinson Dunbar and Wyatt

Mr Durbrow moved to refer bill (H.B.# 138) to the Committee on Cities and Towns

Mr Miller of Clark moved the previous question
which was Ordered

The question to refer being put
and lost

The question recurring on the Amendment of Mr Durdson of Sharp
The House by a rising vote of 37 ayes to 38 nays refused to amend

Mr Archer moved to amend Section One

by inserting after the word "Whiskey" the words "or any kind of bitters, Stomper or otherwise that will intoxicate"

The Amendment was read the first time

And on motion the rules were suspended and the Amendment read a second time

Mr Richardson moved the previous question

which was sustained

The question being on the adoption of the Amendment

It was not adopted

Mr Braymore to refer the bill to the Committee on the Judiciary

Which was not agreed to.

the rules were suspended and on motion of Mr Richardson the bill was read a third time

The question now being,

Shall the bill pass.

The Clerk called the roll

The following members answered in the affirmative Messrs. Archer, Asher, Baxter, Black of Brooks, Black of Randolph, Blackwood, Braly, Brewer, Brinkley, Brown of Lee, Brown of White, Carter, Conway, Cooper, Crutchfield, Cummingham, Harrison of Clark, Harrison of Izard, Keesee, Dickinson, Gipson, Graves, Gulledge, Gulley, Hanly, Hare, Harrison of Lawrence, Hatch, Hazelwood, Holmes, Jamison, Jones, Kirk, King, Lee of Arkansas, Lee of Phillips, Lewis, McClintock, McDonald, Mills of Clark, Mills of Conway, Morris of Stone, Murphy, Perry, Payne, Priddy, Quarles, Reid, Reed, Richardson, Rucker, Simmons, Smead, Sale, Shores, Sloan, Spain, Wann, Washburn, Williams, Wright and Mr Speaker 67

The following Members voted in the Negative
Mess Barnes, Berry, Bobo, Burgess
Byrnes, Cleeb, Curry, Delmar, Green,
Ing, Joyce, Kemp, Lordemilk
McDowell, Moore, Pierce, 15.

Mr White was excused from voting 1.

In the affirmative 67.
In the Negative 15.
Excused from voting 1
Elected for voting 9
So the bill passed

The Speaker called Mr Charles to the Chair

HB# 177 Mr Murphy introduced HB No 177 — An act to be entitled an act to create a mining, Manufacturing and Agricultural Education
Which was read the first time
Mr Hardison moved to reject the bill
The motion to reject was not agreed to.
On motion of Mr Lowe Mr Brewer was granted leave of absence on the Secretary's staff

HB# 178 Mr Murphy introduced HB # 178 A bill to be Entitled An act for the protection of Health and property in Cities of the first Class
Which was read the first time

HB# 179 Mr Morris of Stone introduced HB# 179 a bill for an act to amend Section 5806 Five thousand Three hundred and Sixty six Gantts Digest and for other purposes
Which was read the first time

The Speaker resumed the Chair

HB# 180 Mr Morris of Carroll introduced HB# 180.
An act amendatory of existing laws regulating the sale of forfeited lands of the State and Sixteenth Section Lands.
Which was read the first time.

On motion of Mr Mills of Clark Mrs Holden was granted leave of absence

The Speaker announced the Special Committee to visit Hardinsville and Hot Springs under the resolution adopted by the House to consist of Messrs Barker, Gunning & Wilmoth

On motion of Mr Brown the House at 4:00 Oclock P.M adjourned

John G. Holland
Clerk

J. F. Bearden
Speaker

House of Representatives

Little Rock Arkansas
Saturday Febry 8th 1879

The House met pursuant to adjournment at 9 o'clock A.M.

The Clerk called the Roll
The following members answered to their names
Mess Atkins, Askew, Barnes Barnes, Berry, Black of Boone, Black of Randolph, Blackwood Bobo, Brady, Brantley, Bird, Brown of Lee, Bunn, Cass, Burns, Curtis, Cleek, Cockrum, Gardner of Sharp, Gardner of Izard, Gentry, Gettier, Gibbens, Gipson, Glover, Graves, Gorham, Gilliam, Greening, Hanley, Hare, Harrison, Horsfield, Holmes, Hudson, Jamison, Jordan, Joyner, Keith, Kemp, King, Lee of Hempstead, Lee of Newton, Lewis, Lowe, Mack, Martin, McLemore, Middleton, Miller of Clark, Miller of Conway, Moore, Morris of Carroll, Morris of Stone, Murphy, Owen, Payne, Pindall, Priddy, Richards, Richardson, Rodgers, Simmons, Tate, Thomas, Tipton, Trotter of Washington, Warren, Washburn, Wein, Williams and Mr Speaker

A quorum present

On motion of Mr Hudson Mr McMurtrey was granted leave of absence

On motion of Mr Mack Mr Taylor was granted leave of absence

On motion of Mr Gates Mr Wright was granted leave of absence

Rev Mr Isbell of Mack offered prayer

Mess Minor, Cunningham, Dawson and Dickinson answered to their names

The Journal of yesterdays proceedings was read and there being no objection it was approved and signed by the Speaker and Clerk of the House.

The Journal was corrected by showing that

H.B. No. 181 H.B. No 181 An act to amend Sections 1, 2 & 5 and to repeal Sec 3 thereof an act entitled "an act amendatory of existing laws regulating the sale of the Lands of the Natl Cemeteries December 18th 1875 introduced by Mr Moore was read the first time

A Message was announced from the Senate by Mr Parkes the Assistant Secretary of the Senate at present and read as follows.

Senate Chamber Feby 8. 1879

Mr Speaker

I am instructed by the Senate to inform your Honorable body of the passage of S.C. No 14. So the U.S. Congress for an appropriation of $20,000 ^{20}_{xx} to protect the River front of the City of Port Huron

S.C. #14

Also

S.C. #55. a Resolution for S.C. #10 Bill for an act to be entitled "An act to define and regulate the Jurisdiction of Justices of the Peace in Certain cases" and respectfully transmit the same for your favorable consideration

Lou D. Fletcher
Secretary

Mr Reid desired unanimous to his minute

Mr Handy rose to a question of privilege and offered the following Resolution

Resolved. That the Chief Clerk of this House be and he is hereby authorized and instructed to employ a Competent Journal Clerk from this time to the close of the present Session and that he be paid the same per diem as the Assistant Clerk

Mr Dale moved to amend by authorizing the Clerk to pay for work already done, the same having been a necessity

The resolution as amended was adopted

The Hour of 10 Oclock A.M. having arrived The Speaker announced

S.B. #6 S.B. #6 by having Special order for this hour

Mr. Hardy moved that bill be read a third time and placed upon its passage

The bill (H.B. 69) was then read a third time

The question being shall the bill pass
The Clerk called the Roll

The following named members voted in the affirmative
Mess Archer, Baker, Barnes, Barton, Berry, Black of Bowen, Black of Randolph, Blackwood, Boles, Bray, Brinkley, Britt, Brown of Lee, Burrows, Burns, Curtis, Dixon, Dunlap, Dunlavey of Shelby, Dunlavey of Hardin, Dunlavey, Dickinson, Felton, Fitzhugh, Griffin, Grisson, Gorbush, Gilliam, Gunning, Hardy, Hare, Harrison, Hendricks, Holmes, Hudson, Jamison, Jordan, Joyner, Keith, Kemp, King of Warren, Lee of Hinton, Lowenwirth, Lyric, Mack, Manning, Martin, McConnell, McCracken, Mills of Clark, Miller of Conway, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Owen, Perry, Pindall, Priddy, Quinlan, Reddick, Richardson, Rodgers, Simmons, Snow, Thomas, Turner, Tyson, Walker of Washington, Warren, Washburn, Weir, Williams and Mr Speaker 78.

In the affirmative 78
In the negative none
Absent and not voting 14
92

So the bill passed

Mr McConnell from the Committee on Enrolled Bills made the following report

Mr Speaker

Your Committee on Enrolled Bills have the honor to report that they have examined H.B. 28 and find the same correctly enrolled; signed by the Speaker of the House of Representatives and President of the Senate and have presented the same to his Excellency the Governor for his Consideration

H.B. No. 28

Mr Moore introduced H.B. No. 182

An act to repeal all laws authorizing the furnishing of Stationeries to Assessors, known as Assessory Blanks.
Which was Read the first time

On motion of Mr Fothergill the rules were suspended and the said Second time
Mr McCormick moved that bill be made Special order for Tuesday next at 10. Oclock A M.
Which was agreed to

H.B. 183 Also H.B. No 183. A bill to be entitled an act to amend an act to regulate the letting of public contracts approved 28th of November 1874
Which was read the first time

On motion of Mr Durham of Shelby the rules were suspended and the bill read a second time and referred to the Committee on Retrenchment

H.B. 184 Mr Minor introduced H.B. No. 184. A bill for an act to amend Sections 2981 and 2982 of Gantts Digest and to repeal Section 2983.
Which was read the first time

H.B. 185 Also H.B. No. 185 An act to repeal certain acts named
Which was read the first time
and
On motion of Mr Garner the bill (H.B No 185) was rejected

H.B. 186 Also H.B. No 186. An act to protect Passengers on Railroads in this State
Which was read the first time

On motion of Mr Fraser the rules were suspended and bill read a second time

And on further motion of Mr Levy Howard the bill was referred to the Committee on Circuit and Prueties Courts

H.B.# 187 Also H.B. No 187. An act entitled an act to amend Section (681) Sixteen hundred and Eighty one of Gantts digest
Which was read the first time

Mr Hobson moved to his name
Mr Drake was granted leave and moved that the Speaker appoint two additional members to the Committee to visit Mandamus and Hab. Corpus.
Which motion the House by a viva voce vote of 54 ayes was adopted

H.B.# 188 Mr Minor of Clark introduced H.B. No 188 A bill to be entitled an act to incorporate the Arkansas Society for the prevention of Cruelty to animals
Which was read the first time

H.B.# 151. On motion of Mr Cummingham the rules were suspended and H.B. No 151 Taken up and read a second time

Mr Minor offered the following amendment to Section one
Provided that this Section shall not apply to fines and forfeitures & penalties imposed by such Courts boards, or officers, for violating of any Criminal laws of this State
Which amendment was read the first time and
On motion of Mr Minor the rules were suspended and the amendment read a second time

Mr Brinkley moved the adoption of the amendment
The House by a vote of 21 ayes to 29 nays adopted the Amendment
Mr McConnell moved to reconsider the vote [illegible] the bill; not agreed to and
On motion of Mr Dishaw it was referred to the Committee on Cities and Towns

H.B. 90 On motion of Mr Lee of Harvard the rules were suspended and H.B. No 90 taken up and read a second time and
On motion of Mr Britt the bill was referred to a Special Committee of the members from the Counties composing the 8th Judicial Circuit

On motion of Mr Barnes the House at 11:9 A.M. adjourned

John G. Holland
Clerk

J. D. Bearden
Speaker

House of Representatives

Little Rock Arkansas
Monday Feby 10th 1879

The House met pursuant to adjournment at 9 30 O'clock A. M.

The Clerk called the Roll
The following members answered to their names Mess Archer, Askew, Bass of Boone, Black of Randolph, Bone, Brady, Brinkley, Britt, Brown of Lee, Brown of White, Bumpass, Burke, Burns, Curtis, Check, Conway, Cooley, Creekmore, Cummings, Davidson of Clark, Davidson of Hempstead, Derby, Dickinson, Fetter, Fishback, Gilpin, Fraser, Gillam, Grady, Hare, Harrison, Hobson, Hatfield, Holmes, Hudson, Jamieson, Jordan, Joyner, Keith, King, Lee of Howard, Lee of Hunton, Lordemilk, Love, Mack, Manicard, Martin, McConnell, McCracken, McCue, Murfree, Mills of Clark, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Orrell, Pindall, Pindley, Quarles, Quigley, Reidwich, Richardson, Roden, Simmons, Stanley, Stubbs, Tate, Thomas, Turner, Tyson, Martin of Columbia, Warren of Washington, Wann, Washburn, Weir, Williams, Wright and Mr Speaker

A quorum Present

Rev Mr Watson offered prayer

On motion of Mr Brinkley the Courtesies of the House were extended to Maj. Johnson

On motion Mr Kemp was granted leave of absence until Thursday next

On motion of Mr McConnell Mr Barry was granted leave of absence

Mess Payne and Dawson answered to their names

The Clerk read the Journal of Saturdays proceedings and there being no objection the same was approved and signed

by the Speaker and Clerk of the House

The Speaker announced Miss Miller of Conway and Blackwood as additional members of the Committee to visit Hanging Rock and Hot Springs.

H.J.R. No. being Special order of this hour (10 o'clock A.M.)

The question being upon the adoption of the Report of the Minority of the Committee on the Judiciary

Mr Pindall moved the adoption of the minority report

Mr Fishback moved a substitute that H.J.R. No. be read a third time and placed upon its passage — which was agreed to

H.J.R. No. was then read a third time

Mr Taylor explained and answered to his name

The Secretary then announced a message from the Governor

General Conway the Private Secretary to the Governor appeared and read as follows

State of Arkansas
Executive Office
Little Rock Dec 10. 1879

To the Speaker of the House of Representatives
Mr Speaker.

I have this day approved and signed

H.B. 28 An act to change the boundary line between the Counties of Ouachita and Dallas

W.K. Nugen
Governor

On motion of Mr Brumpass Prof Thompson was invited to a seat upon the floor of the House

On motion of Mr Wadley of Washington

the House took recess until 2. Oclock P.M.

After Recess
at 2. P.M.

The Clerk called the roll; the following
numbers answered to their names
Mess Archer, Asker, Barnett, Black of Dorne,
Black of Randolph, Bobo, Brady, Brinkley,
Britt, Brown of Lee, Brown of White, Brumpas,
Burke, Burns, Cates, Chick, Conroy, Coody,
Creekmore, Cumningham, Davidson of Sharp,
Davidson of Yadkin, Dawson, Denby, Dickerson,
Dolton, Dishroch, Dupree, Fraser, Furbush
Gilmer, Gore, Harrison, Hobgood, Hollfield,
Holmes, Hudson, Jarman, Jordan, Joyner,
Keith, King, Leslie, Herrin, Lee of Newton,
Lenchmere, Linn, Mack, Maynard, Martin,
McConnell, McCracken, McMurtrey,
Mebane of Clark, Minor, Moore, Morris of
Carroll, Morris of Stone, Murphy, Oran,
Payne, Pinnix, Priddy, Purvis, Quick,
Richardson, Rodman, Simmons, Stanly,
Stubbs, Tate, Taylor, Thomas Person, Thom
Tucker of Columbia, Tucker of Washington,
Vann, Washburn, Weir, Williams, Wright
and Mr Speaker

A Quorum Present

The question being upon the passage
of H.J.R No 1.

Mr Gray called for the previous
question - ~~which was sustained~~

The question then being shall the main
question be now put

The House refused
to order the main question

On Motion of Mr Furbush Mr Hardy was
excused for this evening

On Motion of Mr Hudson Mr Wilkins
was invited to a seat upon the floor
of the House

On motion of Mr Stubbs the House at 4 55 P.M. took recess to 7. P.M.

After Recess
7 o'clock P.M.

The Clerk called the roll, the following members answered to their names Mess Archer, Askew, Barnett, Black of Bowie, Black of Cherokee, Bobo, Brown, Brantley, Britt, Brown of White, Bumpass, Burke, Burns, Curtis, Clyde, Conway, Coody, Cummins, Cunningham, Davidson of Sharp, Davidson of Izard, Dickson, Dighton, Dickinson, Dickinson, Fishback, Shipkin, Fraser, Furbush, Gillam, Hare, Harrison, Hobson, Holmes, Hudson, Jamison, Jordan, Joyner, Kent, King, Lee of Howard, Lee of Newton, Lendennie, Lord, Mack, Maynard, Martin, McDonnell, McCracken, McMurtrey, Miller of Clark, Minor, Moore, Morris of Carroll, Morris of Stone, Owen, Pinson, Priddy, Quarles, Reid, Scott, Richardson, Rodgers, Simmons, Stanley, Stubbs, Tate, Taylor, Thomas, Timmons, Tyson, Waller of Columbia, Walker of Washington, Warren, Washburn, Weir, Williams, Wright and Mr Speaker

A Quorum present

The question being upon the passage of H.J.R. No 1.

Mr Conway moved the previous question

The question being shall the main question be now put.

Upon this question the ayes and noes were called for and returned

The Clerk called the roll the following members voted in the affirmative Mess Bobo, Brady, Bruns, Curtis, Clyde, Conway, Shipkin, Hutcheson, Lee of Howard, Lord, Moore, Pindall, Tate, Thomas, Timmons, and Warren 16.

The following members voted in the Negative

Mess Archy, Askew, Barnett, Black of Boone, Black of Randolph, Britt, Brown of White, Brumfield, Burke, Coody, Creekmore, Cumming, Dunn, Davidson of Sharp, Davidson of Izard, Dawson, Dewberry, Dickinson, Felton, Fishback, Fraser, Furbush, Gillam, Hare, Hobson, Holmes, Hudson, Jamieson, Jordan, Joyner, Kent, King, Lee of Morton, Linebarger, Mack, Maxwell, Martin, McConnell, McCracken, McMurtrey, Mings of Clark, Minor, Morris of Carroll, Morris of Stone, Orr, Purdy, Quarles, Riddick, Richardson, Rodgers, Simmons, Stanley, Stubblefield, Taylor, Tyson, Walker of Columbia, Washburn, Weir, Williams, Wright and Mr Speaker. 60.

So the previous question was not agreed to.

Mr Burnett moved that the entire matter be postponed until to morrow at 12 Oclock M.

Which was not agreed to

Mr Harrison moved to adjourn

which was not agreed to

Mr Morris of Stone moved the previous question.

Which was ~~not~~ ordered

Mr Fishback moved to postpone until to morrow morning immediately after the reading the Journal

Which was not agreed to

The question being then

Shall the Resolution

(H J R No 1) pass

The Clerk called the roll

The following members voted in the affirmative Miss Archy, Askew, Black of Boone, Black of Randolph, Brady, Britt, Brown of White, Brumfield, Burke, Curtis, Cheek, Coody, Creekmore, Dawson of Sharp, Davidson of Izard, Dewberry, Felton, Fishback, Fitzpatrick, Fraser, Gillam, Hare, Harrison, Hobson, Holifield, Holmes, Hudson, Jamieson, Jordan, Kent, King

N. R. No 1 (concurrent)

Lee of Howard, Lee of Morton, Lovelace, Mack, Maynard, McConnell, McCracken, Mills of Clark, Moore, Morris of Carroll, Morris of Stone, Priddy, Richardson, Rodeu, Simmons, Stanley, Stubbs, Tate, Thomas, Throw, Tipsy, Walker of Columbia, Walker of Washington, Warren, Washburn, Weir, Williams, and Mr Speaker 59.

The following members rated in the Negative Messrs Brinkley, Burke, Conway, Cunningham Duncan, Dickinson, Joyner, Martin, McCrary, Mowrey, Minor, Orrell, Pinkston, Rhodes, Riddick and Wright 16

Mr Lowe was excused from voting 1.
on account of Charity pairs with Mr Bennett who is absent

In the affirmative 59
In the Negative 16
Excused from voting 1
Absent and not voting 17
92

So the Resolution (H.R. No 1.) passed by a majority of all the members elected to the House of Representatives agreeing thereto

On motion of Mr Allen the House at 9 o'clock P.M. adjourned

John G. Holland
Clerk

J. S. Bearden
Speaker

House of Representatives
Little Rock Ark
Tuesday February 11th 1879

The House met pursuant to adjournment at 9 o'clock A. M.

The Clerk called the Roll.

The following members answered to their names
Mess Archer, Baker, Black of Dorsey, Black of Randolph, Boko, Bray, Brewer, Brinkley, Britt, Brown of Lee, Brown of White, Brumpass, Burk, Burns, Caples, Church, Conway, Cody, Cockrum, Cunningham, Davidson of Clark, Davidson of Izard, Dorsey, Dewberry, Dickinson, Dotson, Fishback, Griffin, Fraser, Frebeck, Gillam, Hanly, Hare, Harrison, Haben, Hatfield, Holmes, Hudson, Jamison, Jordan, Joyner, Keith, King, Lee of Conway, Lee of Newton, Leverkuhn, Love, Mack, Maynard, Minton, McConnell, McCracken, McMurtrey, Miller of Clark, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Green, Sayre, Sindall, Priddy, Rogers, Riddick, Richardson Rodes, Simmons, Stanley, Stiles, Scott, Sayler, Thomas, Terry, Tyson, Walker of Columbia, Waller of Washington, Wann, Washburn, Weir, Williams, Wright and Mr. Speaker.

A Quorum present

Rev. Mr Dye the Chaplain of the House offered prayer

On motion of Mr Hudson Col Cockrell was invited to a Seat upon the floor of the House

The Clerk read the Journal of yesterdays proceedings and there being no objection the same was approved and Signed by the Speaker and Clerk of the House

Mr Hanly rose to a question of privilege and asked leave that he be allowed to have his vote spread on the Journal upon passage of H. J. R. No 1, as voting in the negative

H J R No 1. Which was granted

Mr Murphy asks and was granted leave to have his vote recorded as voting in the negative

Mr Taylor asks and obtained leave to have his vote altered upon the Journal as voting in the affirmative

Mr Love moved have voted in the affirmative compared with Mr Barnett who would have voted in the negative

Mr Wicks of Washington from the Committee on Ways and Means asked leave and for suspension of the rules in order that he might report from said Committee

Which was agreed to

Mr Wicks of Washington from said Committee reported as follows:

Mr Speaker

The Committee on Ways and Means to whom was referred (H.B. No 137) "An act to provide means to support the State government and supply deficiencies in the Treasury" beg leave to report that they have had the same under consideration and unanimously agreed to report the same to the House with the following amendment.

Amend Section One in the fourteenth line from the top by inserting "One half of one mill" and amend the seventeenth line from the top of Section One by striking out "five mills" and inserting in lieu thereof "four mills"

And also amend by striking out Section two of said bill and insert in lieu thereof

"That all acts and parts of acts in conflict with this act be and the same are hereby repealed and we recommend that it do pass

Which amendment were read the first time and

On further motion the rules were suspended and the amendments read a second time and adopted and

On motion of Mr Wellington

it was made Special order for to morrow morning at 10 O'clock A.M. in Committee of the Whole

Leave of absence was asked and granted Mr Mullen of Washington from the Same Committee reported Sundry Resolves: the suspension of rules thereof having first been obtained

Mr Speaker

The Committee on Ways and Means to whom was referred H.B. No 46 "An act to relieve the Tax payers of the State and to suspend the enforcement of the collection of taxes for the year 1878 until after the 20th day of August 1879" have had the same under consideration and instructed me to report the same to the House with a recommendation that it do not pass

H.B #46

On motion of Mr Mullen of Washington the report was accepted

The hour of 10 O'clock A.M. having arrived H.B. No 182 being Special order for that hour

H.B #182

On motion of Mr Connor the bill (H.B #182) was returned to the Committee on Ways and Means

On motion of Mr Jameson House bills having reference to Insane Asylum were made Special order for to morrow morning at 11 O'clock with a view to Second Reading and Reference

On motion of Mr Stubbs leave was granted to himself and Miss Mullen of Columbia and Burke to call up and introduce bills (Under a Suspension of the rules

H.B #60. Mr Stubbs moved that H.B. No 60 be taken up and was a second time and referred to the Committee on the Judiciary

H.B No 60 was then read a second time and referred to Committee on the Judiciary

Mr Dibble introduced Substitute to H.B #60

H.B. #189. ref for #60

In Evening H.B. No 189 An act entitled "An act to prevent the further issue of scrip or evidence of indebtedness in this State" which was read the first time

H.B. #143

Mr Stubbs moved that the Committee on the Judiciary be instructed to report H.B. #143 as early as practicable

which was agreed to

H.B. #190

Mr Stubbs introduced H.B. No 190. A bill for an act to be entitled "An act to amend Sections One (1) and Two (2) of an act entitled an act to prohibit the sale of Minous or alcoholic Liquors within a distance of three miles of the Town of El Dorado in the County of Union

which was read the first time

H.B. 10

Mr Simms moved that the rules be suspended and that H.B. No. 10 be taken up

which was not agreed to

H.B. 129

Mr Parker of Columbia requested that H.B. No. 129 may be taken up and referred

which was not agreed to

H.B. #191

Mr Burke made leave granted by the House introduced H.B. No 191. A Bill for an act to be entitled "An act to amend an act entitled an act declaring liens to Mechanics, Laborers and others approved April 25. 1873

which was read the first time

H.B. #192

Also H.B. No 192 "A bill to be entitled "An act to provide for an advisory Board of Sanitary and Communications"

which was read the first time

H.B. #193

Also H.B. No 193 "A bill to be entitled An act to encourage, foster, Encourage and aid the Arkansas Historical Society

which was read the first time

Mr Hudson asks and obtains leave to present Memorial which in his motion was referred to the Committee on the Judiciary

The Sergeant at Arms announced a Message from the Senate

Mr Guthrie the Assistant Secretary appeared and read as follows

Senate Chamber Feby 11. 1879 Mr Speaker

I am instructed by the Senate to inform your Honorable body of the passage of S.B. No 44. An act to repeal Section 3852 Gantts Digest and herewith respectfully transmit the same for your favorable consideration

H B# 14

Also

H B# 18. of the passage of S B No 18. An act to change the time of holding Circuit Courts in the 3d Judicial Circuit and for other purposes" and herewith return the same

Don D. Kretschmar, Secretary

H B# 194 Mr Mills of Clark introduced H.B. No 194 A bill to be entitled An act to amend first subdivision of Section 4927 of Gantts Digest which was read the first time

H B# 195. Also H.B. No 195 An act for the prevention of Cruelty to Animals

Which was read the first time

H B# 196 Mr McConnell introduced H B No 196. A bill to be entitled an act to refund to J.A. Kennady of Sebastian County out of the School funds the sum of $330 erroneously paid by him into the School fund of Crawford County

Which was read the first time

and

On his motion rules were suspended bill read a second time and referred to the Committee on Ways and Means

H B# 87 The hour of 11 o'clock A.M. having arrived H.B. No 87 being Special order for that hour On motion of Mr Sinclair H B No 87. was taken up and read a third time

Pending the motion upon passage of Bill It was on motion of Mr Fishback postponed and made Special order for Saturday next at 10. o'clock A. M.

On motion of Mr Thomas Mr McDonald was granted leave of absence until Saturday next on account of sickness

On motion of Mr Washburn the House at 1.25 P.M. took a recess until 2.30 O'clock P.M.

After Recess at 2.30 P.M.

The Clerk called the Roll

The following Members answered to their names; Messrs Archer, Baker, Barnett, Black of Bonner, Black of Randolph, Bobo, Brady, Britt, Brown of Lee, Brown of White, Brumpus, Burke, Burns, Curtis, Cheek, Conway, Cody, Cruikshank, Cunningham, Davidson of Kirby, Davidson, of Lee, Dinsley, Dickinson, Feltner, Fish, Fuchs, Hippin, Fraser, Gilland, Haney, Hart, Harrison, Holcomb, Holmes, Howell, Jameson, Jordan, Joyner, Kirk, King, Lee of Howard, Lee of Horton, Lowenstein, Love, Mack, Martin, McDonnell, McCorkle, McCray, Miller of Clark, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Owen, Payne, Priddy, Rainer, Richardson, Robertson, Simmons, Stanley, Stubbs, Tate, Thomas, Turner, Tyson, Walker of Columbia, Walker of Washington, Wear, Williams, Wright and Mr Speaker a quorum present

Mr Stubbs rose to a question of privilege and moved the courtesies of the House be extended to Genl R.N. Still during his stay in the City

Which was agreed to.

H.B. 51 On motion of Mr Brown the rules were suspended and H.B. No. 51 was referred to the Committee on the Judiciary

H.B. 129 On motion of Mr Tucker of Columbia the rules were suspended and H.B. No 129 taken up and read a second time

On motion of Mr Stubbs the bill was amended

by inserting the words "& gun away" in section one of the bill

The amendment was read the first time

And

On motion of Mr Martin of Columbia the rules were suspended and the amendment read a second time and adopted and the bill referred to the Committee on Cities and Towns.

H B# 10 On motion of Mr Thomas the rules were suspended and H B No 10 Taken up and read a second time &c

On motion the rules were suspended and the amendment recommended by the Committee read a second time and adopted

Mr Cunningham moved that the Bill and amendment be indefinitely postponed

Upon which motion Mr Thomas called for the yeas and nays

Which ord and the Clerk called the Roll

The following members voted in the affirmative Messrs Archer, Black of Randolph, Cunningham, Davidson of Rand, Dewey, Felton, Hipkins, Hounfield, Jordan, Lanier, Merry of Stone, Richardson, Stanley, Stubbs and Mahon 15.

In the negative, Messrs Aikin, Bennett, Black of Boone, Bobo, Braly, Britt, Brown of Lu, Brown of White, Bunkley, Burke, Burns, Curtis, Elrod, Conway, Coody, Crellman, Davidson of Sharp, Dickinson, Fishback, Graves, Jurbeck, Gillam, Hardy, Hays, Harrison, Hebron, Holmes, Hudson, Jameson, Joyner, Keith, King, Lee of Howard, Lee of Newton, Lineweaver, Lewis, Mack, Martin, McConnell, McCracken, McMurtray, Mills of Clark, Moore, Morris of Conway, Murphy, Owen, Payne, Priddy, Quarles, Rodgers, Simmons, Thomas, Tatum, Tynes, Walker of Columbia, Walker of Washington, Washburn, Weir, Williams, Wright and Mr Speaker 61.

So the motion to indefinitely postpone was lost

Mr Thomas moved that bill as amended be engrossed and made Special order for Thursday next at 10. Oclock A. M.

Which was agreed to.

On leave granted Mr Washburn called up H.B. No 26 and on his motion was referred to the Committee on the Judiciary

H.B. 26

On motion of Mr Turner the rules were suspended and H.B. No 85 taken up and read a second time

H.B. 85

Mess Brewer & Taylor moved to strike Mr Pickard offered the following Amendment to Section 14. "Provided that Nothing in this bill shall be so construed as to enlarge the Jurisdiction or powers of the County Court of Sebastian County as under Existing laws

Which was read the first time

And On motion the rules were Suspended and the Amendment read a second time and adopted

On motion of Mr Mills of Clark the word "State" in Sec 6 in the second line from the bottom of said section was stricken out and

On further motion of Mr Turner the Bill as amended was referred to the Committee on County & Probate Courts.

On leave granted Mr Byrne moved a Suspension of the rules that he might offer a Resolution

The rules were then suspended and the following resolution read

Whereas: That distinguished Educator Genl D. H. Hill is at present in the City upon a visit of State matters pertaining to the Industrial University at Fayetteville and

Whereas the affairs of that Institute should receive most careful consideration in view of the support & control of its Conduct by the State and in view of its great Educational facilities

Therefore be it
Resolved that the Eminent gentle-
man be invited to address the members of the
General Assembly upon the subject of his
charge and upon Execution in general at
as Early a date as may be practicable.
Provided that such address occur during
time evening of the present week
and on motion Thursday next at 7½ o'clock
P.M. was the time fixed for the hearing of
said address
and the Resolution adopted

Mr Dishbach asked leave which was granted
and moved a suspension of the rules for the
purpose of introducing a Resolution relating
to accommodation rules 31 and 32
Leave being granted the
rules introduced the following Resolution
Resolved
That Rule 31 be amended so as
to read as follows
The first reading of bills
shall be for information and if opposition
be made to it, the question shall be "Shall the
Bill be rejected". If no opposition be made,
or if the motion to reject be lost the Speaker
shall announce the Bill ready for Commitment.
Resolved
That rule 32 be so amended as to
read as follows
Upon the second reading of a
bill the Speaker shall announce that it is
ready for commitment or engrossment and if
Committed to a Committee of the whole House,
the House shall determine on what day, or if
the House order the bill engrossed, the House
shall appoint the day when it shall be read
a third time; but if it be not ordered Engrossed
on the day of its being reported, it shall be placed
on the Journal file, on the Clerks table, to be
taken up in order and
On Motion of Mr
Dishbach the resolution was adopted

On motion of Mr Fraser the rules were sus-
pended and S.B. No 17 taken up and
the Amendments was a second time and adopted

H 18 + 17

and on further motion the Bill as amended was ordered Engrossed and made Special order for Monday Next immediately after the reading of the Journal

On motion of Mr Binns the rules were sus-
H J M[t] 2 pended and H J M No 2 was taken up and read a Second time and

On further motion of Mr Cunningham the rules were suspended and H J M No 2 read a third time

The question then being Shall H J M[t] pass
The clerk calls the roll

The following members voted in the affirmative

Mess Askew, Black of Boone, Black of Randolph, Bobo, Brown, Britt, Brown of Lee, Brown of White, Burke, Burns, Curtis, Cheek, Conroy, Creasmore, Cunningham, Harrison, Dickinson, Felton, Fishback, Gilland, Hare, Hobson, Holmes, Hudson, Lee of Howard, Lee of Hunter, Lockhart, Love, Martin, McCormick, McCracken, Miller of Clark, Morris of Stone, Murphy, Oram, Pinchback, Priddy, Quarles, Riddick, Rodman, Simmons, Stubbs, Taylor, Tyson, Walker of Columbia, Weir and Mr Speaker 49.

In the negative Mess Archer, Brady, Brim, Bass, Crudup, Davidson of Surry, Davidson of Davie, Dudley, Hyppin, Brower, Furbush, Hamby, Harrison, Holifield, Jordan, Joyner, Leach, Long, Mebane, Miller, Moore, Payne, Pate, Thomas, Turner, Mann, Washburn and Williams 29. In the affirmative 49.

So the H. J. M[t] was passed

On motion of Mr Murphy the rules were suspended and the House by a vote of 89 yeas to 28 nays instructed the Committee on Elections to report upon the Contested Election in Pasquotank County on Thursday next at 10 Oclock A. M.

Mr Harris asked and obtained leave to introduce the following

Mr Speaker I move that all Bills, Memorials, and Resolutions now on the Calendar at the Clerks desk, on the Subject of Education be considered referred, and the Clerk be instructed to immediately transmit the same to the Joint Committee of the House and Senate on Education

Which was adopted

H.B. #197 Mr Mack introduced H.B. No 197. A bill for an act to be entitled an act to repeal an act entitled An act to encourage Mining and Manufacturing in the State of Arkansas approved February 16th A.D. 1875.

Which was read the first time and On Motion of Mr Fishback referred to the Committee on Immigration

H.B. #198. Also H.B. No 198 A bill for an act to amend Section 2607 of Gantts Digest

Which was read the first time and On motion was referred to the Committee on Circuit and Justices Courts

H.B. #199. Also H.B. No 199 A bill for an act to be entitled an act to amend Sections 3663, 3665, 3675, 3677, and 3699 and to repeal Sections 3673, 3674, 3674, 3686, 3687, 3688, 3689, 3690, 3691, 3692, 3694, 3695, 3696, 3697, 3698 and 3699 of Gantts Digest and for other purposes

Which was read the first time and On motion of Mr Davidson of Thompson referred to the Committee on Ways and Means

H.B. #200 Mr Lowe introduced H.B. #200 An act to punish Cruelty to Animals in this State

Which was read the first time and On motion referred to the Committe on Agriculture

H.B. #201. Also H.B. No 201. An act making appeal bonds and bonds for cost have the force and effect of Judgments

Which was read the first time and On motion referred to the Committe on Circuit and Justices Courts

H.B. #202 Also H.B. No 202 An act to define and

Jarrick Vagrancy
which was read the first time and
on Motion of Mr Dickinson was referred to the same
Committee

H15th 205 Mr King introduced H.B No 203 An act to be
entitled an act to amend certain Sections
Coulsons in an act approved March 6th 1895
in regard to the building of bridges by the
County Court on Roads and Highways"
which was read the first time and
on Motion referred to the Committee on Roads and Highways.

H15th 204 Also H.B. No 204. A bill to be entitled An act
to amend Section One of an act establishing
a Court of Common Pleas in the County
therein named" approved December 14. 1875
and to Establish a Court of Common Pleas
in Lonoke County"
which was read the first time and
On motion referred to the Committee on County and Pro.
Ct Courts.

H15th 206 Also H.B No 205. An act to be Entitled
An act to amend the Grand and Petit
Jury system and to repeal certain Sections
of Chapter 62 Digest"
which was read the first time and
On motion referred to the Committee on Ways
and Means"

On Motion of Mr Davidson of Grand
the House at 4:31 P.m. adjourned

John G. Holland
Clerk

J. A. Beard
Speaker

House of Representatives
Little Rock, Arkansas
Wednesday Feby 12. 1879

The House met pursuant to adjournment at 9:30 o'clock A.M.

The Clerk called the Roll. The following members answered to their names. Mess. Archer, Askew, Barnett, Burton, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Bourg, Brown, Brumley, Britt, Brownlee, Brown of White, Brumbaugh, Burke, Byrne, Carter, Cheek, Conway, Coody, Crenshaw, Cunningham, Davidson of Pike, Davidson of Izard, Dawson, Dudley, Dickinson, Feltner, Fishback, Griffin, Fraser, Furbush, Gillam, Glenn, Hardy, Hare, Harrison, Hudson, Holden, Hatfield, Holmes, Hudson, Jameson, Jordan, Joyner, Keith, King, Lee of Howard, Lee of Newton, Lowder, Mitchell, Love, Mack, Martin, McConnell, McCracken, McMurtrey, Miller of Lawrence, Mills of Conway, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Owen, Poynter, Pindall, Priddy, Quarles, Riddick, Rochelle, Rodgers, Simmons, Sinnott, Stanley, Stubbs, Tate, Taylor, Thomas, Turner, Tyson, Miller of Columbia, Mallett, Washington, Wynne, Woodson, Weir, Williams, Wright and Mr Speaker 90.

A quorum present

Rev'd Mr Dye the Chaplain of the House offered prayer

On motion of Mr Brown of White Mr Hardy was invited to a seat upon the floor of the House

The Clerk read the Journal of yesterday's proceedings and the Journal was corrected by showing that the resolutions amending rules 31 and 32 adopted by the House on yesterday were in substitute for the Resolution offered on a previous day by Mr Pindall; after which the Journal was approved and signed by the Speaker and Clerk of the House

Mr Griffin asked and was granted leave

to report from the Committee on Elections
The report is as follows

Mr Speaker

Your Committee on Elections to whom was referred the Contested Case of Cubage vs Hunley have carefully considered the same and have instructed me to report:

That no notice has ever been served on J H Hunley as required by the Statutes of 1894-5 Section 96. page 107. but what purports to be a Notice was filed before A. J. Housley J.P. and A.N. Williams J.P. on the 29th day of September 1898, without any evidence of it having been served on the defendant J.H. Hunley.

Therefore your Committee respectfully beg leave to be discharged from further Consideration of the case

Mr Orr on the part of the Minority of said Committee made the following Report

"We coincide with that of the Election Committee but beg leave to dissent from the following Minority report in the case of Cubage vs. Hunley.

1st We believe on examination of all the ~~finding~~ testimony in the case that Cubage received a majority of all the legal votes cast in Montgomery County at the last general Election

2d Mr Hunley was duly notified that Cubage would contest. & believe the notice was served according to law; or if could not have occupied the position it (the Notice) does at the present time and further & therefore it democratic to seat all those who have received a majority vote whether notice has been served or not

On motion of Mr Hudson the Courtesies of the House were extended to Mayor McGhee

Mr Shannon moved the adoption of the Majority report

Mr Bobo moved as a substitute to order further action on the report until the matter can be more fully investigated

H.B. # 187

The hour of 10. Oclock A. M. having arrived the Speaker announced H.B. No 187 Pending order for that hour

The House went into Committee of the whole

Mr Bray in the Chair

After spending some time in Committee of the whole

Mr Pitchard moved that the Committee rise and report progress and ask leave to sit again on Tuesday next at 10. Oclock

The House on a Committee of the whole by a vote of 45 ayes to 22 nays adopted the motion

Mr Speaker resumed the Chair

Mr Bray Chairman of the Committee reported progress and asked that Committee sit again on Tuesday next at 10. Oclock A M.

which report was adopted

Mr Hardwick of Sharp asked and was granted leave to move for a suspension of the rules that he might offer a resolution

The rules were suspended and

Thereupon Mr Hardwick of Sharp offered the following Resolution

BE it Resolved:

by the House of Representatives

That the Committee on Constitutional Amendments having in charge H.J.R. No — H.B. No 15. and other proposed Measures looking to the reduction of the amounts of real and personal property exempt from Execution and other final process for the Collection of debt; be directed to report said propositions back to the House on or by Monday next at 12 Oclock M.

which was adopted

Mr Pitchard moved that rules be suspended and that bills on first reading be taken up with a view of reference to the proper Committees

Which motion was adopted and the following bills were so referred

H.B. #54. was referred to the Committee on Circuit and Justices Courts

H.B. #56 was referred to the Committee on State Charitable Institutions

H.B. #57 was referred to the Committee on the Judiciary

H.B. #58. was referred to the Committee on Circuit and Justices Courts.

H.B. #59 was referred to the Committee on Cities and Towns.

H.C.R. #7. was ordered to lie on the Table.

H.B. #61 " " " Committee on Retrenchment

H.B. #62 " " " " " on Circuit Justices Courts

H.B. #63 " " " " " on Ways and Means

H.B. #64 " " " " " Circuit Justices Courts

H.B. #65. " " " " " the Judiciary

H.B. #66 " " " " " Circuit Justices Cts

H.B. #68 " " " " " Insane Asylums

H.B. #69. " " " " " Ways and Means

H.B. #72 " " " " " Retrenchment

H.B. #73 " " " " " Enrolled Bills

H.J.R. #8. " " " " Joint Com. on Const. Amends.

H.B. #74 " " " " Committee on Ways and Means

H.B. #75. " " " " " " County Private Cts

H.B. #76 " " " " " " State Lands

H.J.R. #9. " " " " " " Education

H.B. #77. " " " " " " Ways and Means

H.B. #78 " " " " " " Judiciary

H.B. #79 " " " " " " Judiciary

H.B. #80 " " " " " " Circuit Justices Cts

H.B. #81. " " " " " " Agriculture

H.B. #82 " " " " " " Judiciary

H.B. #83 " " " " " " Retrenchment

H.B. #84 " " " " " " Circuit and Justice Cts

H.B. #86 " " " " " " Judiciary

H.J.R. #10 " " " Joint " on Const. Amends

H.J.R. #12 " " " " " " " " "

H.J.R. #13. " " " " " " " " "

H.B. #90 " " " Committee on Public Health

H.B. #91. " " " " " State Lands

H.B. #92. " " " " on Circuit Justices Cts

H.B. #93 " " " " " State Lands

H.B. #94 " " " " " County Private Cts

H.B. #95 " " " " " Internal Improvements

H.B. #96 " " " " " Circuit Justices Cts

H.B. 97 was referred to the Committee on Circuit & Justices Cts.
H.B. 98 " " " " " " Judiciary
H.B. 99 " " " " " " Railroads
H.J.R. 14 " " " " " " Ways and Means
H.J.R. 15 " " " " Joint " " Const. Amendm.
H.J.R. 16 " " " " Committee on Petitions & Memorials
H.B. 100 " " " " Committee on Ways & Means
H.B. 101 " " " " " " on County and Probate Court
H.B. 102 " " " " " " on Circuit & Justices Court
H.B. 103 " " " " " " County & Probate Cts
H.B. 104 " " " " " " Circuit & Justices Courts
H.B. 105 " " " " " " Circuit & Justices Cts
H.B. 108 " " " " " " Agriculture
H.B. 109 " " " Speiss " a Committee to be appointed by the Speaker composes of Members from the 4th Congressional districts

H.B. 110 was referred to the Committee on Circuit & Justices Cts
H.B. 111 " " " " " " on Counties & County lines
H.B. 112 " " " " " " Circuit & Justices Cts
H.B. 113 " " " " " " Insane Asylum
H.B. 114 " " " " " " Judiciary
H.B. 115 " " " " " " Judiciary
H.B. 117 " " " " " " Same
H.B. 118 " " " " " " Same
H.B. 119 " " " " " " Same
H.B. 120 " " " " " on Circuit & Justices Courts
H.B. 122 " " " " " " Same Same
H.B. 124 " " " " " " Retrenchment
H.B. 125 " " " & Special " on Temperance
H.B. 126 " " " the Committee " Counties & County lines
H.B. 127 " " " " " " Judiciary
H.B. 128 " " " " " " Agriculture

The Speaker announced that he had appointed Mr Bobo to fill a vacancy occasioned by the death of Hon C. K. Holman on the Committee on Circuit & Justices Courts

H.B. 130 was referred to the Committee on Agriculture
H.B. 131 " " " " " " Retrenchment
H.B. 132 " " " " " " Same
H.B. 133 " " " " " " Judiciary
H.B. 134 to lie on the table subject to call
H.B. 135 was referred to the Committee on Roads & Highways
H.J.R. 17 " " " " " " Immigration
H.J.R. 18 " " " " " " Petitions & Memorials
H.B. 85 " ordered to lie over subject to call
H.J.R. 8 Same disposition
H.J.M. 4 was referred to Committee on Petitions & Memorials

HJM 5 was referred to Committee on ~~Petitions~~ & Memorials
HB 189 " ordered to lie over subject to call
HB 144 " ordered same disposition
HB 145 " " same disposition
HJR 20 " referred to Joint Committee on Constitu. Amend.
HJR 21 " " " " " " " "
HB 146 " " " Committee on State Lands
HB 147 " " " " " Retrenchment
HB 148 " " " " on County & Probate Courts
HB 149 " " " " on Judiciary
HB 150 " " " " " Agriculture
HB 152 " " " " " Roads and Means
HB 153 " " " Special " " Public Health
HB 154 " " " Committee " Circuit & Justices Ct
HB 155 " " " " " Counties & County lines
HB 157 " " " " " Judiciary
HB 158 " " " " " Claims
HB 159 " " " " " Claims
HB 160 " " " " " Counties & County lines
HB 162 " " " " " Judiciary
HB 165 " " " " " State Charities
HB 162 " " " " " Judiciary
HB 165 " " " " " Circuit & Justices Courts
HB 166 " " " " " Judiciary
HB 167 " " " " " Claims
HB 168 " " " " " Internal Improvement
HB 169 " " " " " Roads and Means
HB 170 " " " " " Judiciary
HB 171 " " " " " Public Printing
HB 172 " " " " " Cities and Towns
HB 173 " " " " " Roads and Means
HB 174 " " " " " Judiciary
HB 175 " " " " " Claims
HB 176 " " " " " Temperance
HB 177 " " " " " Immigration
HB 178 " " " " " Public Health
HB 179 " " " " " Roads and Highways
HB 180 " " " " " Retrenchment
HB 181 " " " " " Claims
HB 182 " " " " " Claims
HB 183 " " " " " Circuit & Justices Courts
HB 188 " " " " " Judiciary
HB 189 " " " " " Retrenchment
HB 190 " " " " " Cities and Towns
HB 191 " " " " " Immigration
HB 192 " " " " " Judiciary
HB 193 " ordered to lie on table subject to call
HB 194 " referred to Committee on Judiciary

HB#195 was referred to Committee on Judiciary

Mr Minor was granted leave to present two petitions which were respectively referred: that on Temperance to the Special Committee on Temperance and that on Education to the Committee on Retrenchment

Mr Barry asked and was granted leave and the rules were suspended for the purpose that he might introduce a bill

HB#206 Mr Barry introduced H.B. No 206 An act to authorize a Special Term of the County Court of Garland County

Which was read the first time

The rules were further suspended and the bill read a second time and

On motion of Mr Miller of Clark the Bill was amended by striking "Clark County,"

The amendment was read the first time and

On motion the rules were suspended and the amendment was read a second time and adopted and

HB#206 On motion of Mr Barry HB No 206 was ordered engrossed made Special Order for to morrow morning immediately after the reading of the Journal.

Mr Harrison of Sharp moved leave granted by the House and suspension of rules introduced

HB#207 HB No 207 A bill for an act to prohibit the sale or giving away of ardent Spirits within three miles of the Cremmy Thorn College

Which was read the first time and referred to the Committee on Counties and Probate Courts

Mr Cunningham asked for a suspension of the rules that the Committee on Cities and Towns might report

Which was granted

Mr Rawles from said Committee reports as follows

Mr Chairman

13th 151 Your Committee on Cities and Towns to whom was referred HB #51 would state that they have had the same under consideration and herewith report the same back and recommend that HB #51 do originally introduced be passed

Mr Archer from same Committee made the following minority report

Mr Speaker

The Undersigned members of your Committee on Cities and Towns to whom was referred HB No. 151. have had the same under consideration and beg leave to submit a minority report and recommend that the bill do not pass as reported by the majority of said Committee

Because the 2nd section of said bill provides that a fund that belongs to the Counties be appropriated to the benefit of the Corporations. This we believe to be an unjust act in its operations and void

Mr Cummyham moved the adoption of the Majority report

Mr Archer moved substitute to adopt minority report

On motion of Mr Thomas the House at 12 40 P.M. adjourned

John M. Haddock
Clerk

J. D. Bearden
Speaker

House of Representatives

Little Rock, Arkansas
Thursday February 13. 1879

The House met pursuant to adjournment at 9½ o'clock A. M

The Clerk called the Roll
The following members answered to their names
Mess Archer, Askew, Barnett, Barton, Berry, Black of Boone, Black of Randolph, Blackwood, Bobo, Brady, Brindley, Britt, Brown of White, Brumpass, Burke, Burns, Carter, Check, Conway, Cowdy, Cruikshank, Cunningham, Davidson of Sharp, Davidson of Izard, Dawson, Dennis, Dickinson, Deltrick, Fishback, Gipson, Graves, Gurbush, Gillam, Greening, Hardy, Hare, Harrison, Hobson, Holder, Holifield, Hudson, Jamison, Jordan, Joyner, Keith, Kemp, Kirby, Lee of Howard, Lee of Newton, Lordsmith, Love, Mack, Martin, McConnico, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Orrell, Payne, Pendall, Priddy, Quarles, Riddick, Richardson, Roden, Simmons, Simmons, Stanley, Stibbs, Tate, Taylor, Thomas, Turner, Tyson, Waller of Columbia, Waller of Washington, Wann, Washburn, Weir, Williams, Wright and Mr Speaker
a quorum present

Rev. Mr Dye the Chaplain of the House offered prayer.

On motion of Mr Brumpass, Mr Brown of Lee was excused for absence

On motion of Mr Taylor Mr Holmes was granted leave of absence until Monday next.

The Journal of yesterday's proceedings was read and there being no objection the same was approved and signed by the Speaker and Clerk of the House

H. C. R. No 1

Mr Burke rose to a question of privilege and introduced H. C. R. No 2. "Relating to Joint Committee of the Committees on the Penitentiary of the Senate and House of Representatives

Which on motion of Mr Barry was adopted

Mr Richbach rose to a question of privilege and asked action of the House with regard to recalcitrant witness Miss Forbush and Dawson before the Committee appointed to investigate the charges of bribery, and asked leave to offer a resolution which was granted

Upon leave granted, Mr Taylor offered the following resolution

Resolved, That the House of Representatives accept the invitation to visit the Institute for the Blind on Feby 14th at 11 Oclock P.M.

Which was agreed to

On motion of Mr Stubbs Mr Burrow was added to the Committee on Printing

Mr Berry presented a petition from citizens and on his motion it was referred to the Joint Committee on Constitutional Amendments

Under a suspension of the rules

HJR # 22 Mr Rodgers introduced HJR No 22, Joint Resolution to amend the Constitution

which was read the first time and referred to the Joint Committee on Constitutional Amendments

Under a suspension of the rules

HJR # 23 Mr Mansfield introduced HJR No 23 A Joint Resolution to amend the Constitution of the State of Arkansas

which was read the first time and referred to the Joint Committee on Constitutional Amendments

The Speaker announced the following as a Special Committee of five to consider the redistricting of the 4th Congressional District as provided under HB No 109 viz Messrs Moore, Keith, Alcock, Black of Boone and Davidson of Izard

Under suspension of the rules the following petitions and memorials were offered and on motion referred to the following

Committees:
By Mr Tyson; a petition from citizens with regard to public schools:
Referred to the Committee on Education

By Mr McCracken from citizens of Pope County on the same subject was
Referred to the same Committee

By Mr Quarles on the same subject from citizens of Phillips County was
Referred to the same Committee

By Mr Broom of White from citizens of White County on the same subject was
Referred to the same Committee

By Mr Rodgers from citizens of Faulkner County on the same subject was
Referred to the same Committee

By Mr Brumpass from citizens of Lonoke County on the same subjected was
Referred to the same Committee

On leave granted and under a suspension of the rules Mr Conway introduced H.B. 208 "An act to authorize the several Counties in this State to fund their outstanding indebtedness evidenced by bonds, Coupons, warrants or Judgments of said Counties; Issued prior to the adoption of the present Constitution"
which was read the first time and
Referred to the Committee on the Judiciary

The Sergeant at Arms announced a Message from the Senate
Mr Tuckerly the Assistant Secretary of the Senate appeared and read as follows

Senate Chamber Feby 13. 1879

Mr Speaker,
I am instructed by the Senate to inform your honorable body of the passage of H.B. No. 106. "A bill to make an appropriation to pay the funeral expenses of the late Hon C.K. Holman and therewith respectfully return the same
Lon O. Kreichmar Secretary

H.B. No. 6.

Mr Brown from the Committee on Engrossed bills reported House bills Nos. 10 to 206 correctly engrossed

Mr Hanly on leave previously granted offers the following resolution

Resolved that the witness Willis H. Durbush and R. A. Darrow, the first a member of this House from the County of Lee and the latter a member from the County of Jefferson; who are reported by a Committee of this House as having refused to answer proper and legal questions propounded to them as witnesses, by said Committee are in Contempt of this House, in so refusing to answer said questions. It is therefore hereby ordered that they and each of them appear before the bar of this House forthwith, to show Cause why they should not be proceeded against as for Contempt

Which resolution was adopted

On motion of Mr Dickinson the Courtesy of this House were extended to Mr Morgan

Mr Durbush rose and made a personal explanation, Whereupon On motion of Mr Timms

It was ordered that Mr Durbush be required to answer questions propounded by the Committee and that upon doing so, he be discharged

Mr Fishback offered the following Resolution

Whereas: R. A. Darrow a member of this House has charged a Committee of the House with dishonorable conduct and intentions. — Therefore

Resolved: That the Speaker of the House summon R. A. Darrow before its bar and thereupon require said Darrow either to establish said charge or to retract the same in presence of the House

The resolution by a vote of 54 yeas to 18 nays was adopted

Mr Brewer of Yuma was excused to his home

Mr Warren came forward and explained that the charge made by him against the Committee was not based upon any evidence, but that such was his individual feeling

On Motion of Mr Brown the explanation was accepted by the House and Mr Warren required to answer the questions propounded by the Committee

On Motion Col Chas P. Coffin was invited to a seat upon the floor of the House

H.B. No. 206 H.B. No. 206 Special order for this hour Mr Barry moved that H.B. No 206 be read a third time and placed upon its passage

H.B. No 206 was then read a third time

Mr Durbrow rose to a question of privilege and tendered his resignation as a member of this House

The question being Shall H.B No 206 pass.

The Clerk called the Roll

The following members voted in the affirmative Messrs. Archer, Asher, Barnett, Burke, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Brady, Brewer, Brumley, Britt, Brown of White, Burke, Burns, Curtis, Church, Conway, Coody, Cruikshank, Cunningham, Davidson of Sharp, Davidson of Izard, Denby, Dickinson, Dollier, Dishack, Dipkin, Fraser, Gillam, Greening, Hanly, Hare, Harrison, Holden, Holifield, Hudson, Jameson, Jordan, Joyner, Kirk, Kemp, Kerr, Lee of Howard, Lorraminello, Love, Mabe, Martin, McCamen, McCracken, McMurray, Miller of Clark, Minor, Moore, Morris of Cursall, Morris of Stone, Mimbery, Orrin, Payne, Pindall, Priddy, Riddick, Rolen, Simmett, Stanley, Stubbs, Tate, Taylor, Thomas, Thorn, Tyson, Wacker of Washington, Walker of Columbia,

Mann, Mein and Mr Speaker 77.
In the affirmative 77.
In the negative nine
Absent and not voting 15
92.

So the bill (H 16 No 206) passed

On leave granted Mr Stubbs, the rules were suspended

Mr Stubbs offered the following Resolution

Whereas, a Register for keeping an accurate account of Liquor sold by the drink, pint, quart or gallon known as "McMahons Register" has been exhibited in this Hall and

Whereas; Something of the kind used in taxing the Sale of Liquor would raise a large amount of Revenue. Therefore

Be it Resolved by the House of Representatives that the Committee on Ways and Means be instructed to examine the aforesaid Register ascertain how it would work for the increase of Revenue and to report by bill or otherwise

The Resolution was adopted.

H.B. No 10. being next Special order

H B #10

On motion of Mr Thomas the bill was read a third time

Mr Brady was called to the Chair

The question being, Shall the bill (H B #10) pass

The Clerk called the roll

The following members voted in the affirmative Messrs Aston, Burton, Barry, Bates, Brinkley, Pratt, Brown of White, Brumfield, Burns, Church, Crosby, Cruikshank, Davidson of Thurston, Harrison, Hawley, Hutchinson, Ingebretsen, Hilton, Gilliam, Groening, Hamilton, Harrison, Hudson, Jamison, Jeffries, Kirby, Kemp, King, Lee of Howard, Lee of Hunter

Armistead, Lewis, Meek, McConnell, McCracken, McMurtrey, Miller of Clark, Moore, Morris of Cooper, Murphy, Owen, Payne, Quarles, Rodes, Sims, Sinnott, Tate, Taylor, Thomas, Tinnin, and Weir 52.

The following voted in the negative Messrs Archer, Barnett, Black of Randolph, Blackwood, Brady, Brewer, Curtis, Conway, Cumming, Cunningham of Jasper, Deitzler, Fraser, Hobson, Holden, Hoffecker, Jordan, Martin, Miller of Lawrence, Minor, Morris of Stone, Lindsay, Priddy, Riddick, Richardson, Stubbs, Tyson, Ward of Columbia, Wallace of Washington, Warren, Williams and Mr Speaker 31.

In the affirmative 52
In the Negative 31.
Absent and not voting 9.
92.

So the bill (H.B No 10) passed.

The House resumed the Chair
On motion of Mr Harrison the Rules were
S.J.M.# 1. suspended and S.J.M. No 1. To the U.S.
Congress for an appropriation of $20,000 &c &c
to protect the river front of the City of
Iowa Bluff" was taken up and read
the first time.

On leave granted Mr Fishback the rules
were suspended and
H.B. No 209 Mr Fishback introduced H.B No 209.
An act to repeal all laws now in force
within which Stanford Bonds or the Coupons
thereof are made receivable for lands of
this State"
Which was read the first time and
referred to the Committee on Ways and Means

On Motion of Mr McConnell Mr Fishback was granted leave of absence until Tuesday next.

On further Motion of the rules S.J.M.# 1.
was read a second time and made
Special order for to morrow immediately

after the reading of the Journal

Mr Murphy was granted leave and offered the following resolution

Resolved, That the Contested Elections cases for Representatives of Pulaski County be made the question for the deliberations of this body to morrow morning Friday February 14th 1879 at 11 Oclock A M as a Committee of the Whole

The House by a rising vote of 65 yeas to 25 nays adopted the Resolution.

On motion of Mr Oats the House at 1220 P.M. adjourned

J. L. Bearden
Speaker

John G. Nollaud
Clerk

House of Representatives

Little Rock Arkansas
Friday February 14th 1879

The House met pursuant to adjournment at 9 o'clock A. M.

The Clerk called the Roll:

The following members answered to their names:
Mess. Archer, Aisten, Barnett, Barton, Berry, Black of Boone, Black of Randolph, Blackwood, Boles, Brady, Brewer, Brinkley, Britt, Brown of Lee, Brown of White, Brumpass, Burke, Burns, Curtis, Cluck, Conway, Cooley, Cochran, Cummingham, David, Dow of Sharp, Eldridge of Izard, Dickson, Dooley, Dickinson, Felton, Flippin, Fraser, Gillam, Gunning, Hanley, Hare, Harrison, Hobson, Holden Hartsfield, Hudson, Johnson, Jordan, Joyner, Keith, Kemp, King, Lee of Howard, Lee of Newton Lewis of 10, Love, Mack, Martin, McClennen, McCracken, McMurtrey, Miller of Clark, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Oram, Payne, Pickard, Priddy, Rogers, Riddick, Richardson, Rodgers, Simmons, Simmott, Stanley, Stubbs, Scott, Taylor, Turner, Tyson, Walker, Columbia, Washington, Wasson, Wash, burn, Weir, Williams, Wright and McQueen

A Quorum present

Revd Mr L. D. Bennett ~~of~~ offered prayer

The Clerk read the Journal of yesterday's proceedings; and there being no objection the same was approved and signed by the Speaker & Clerk of the House

Mr Barton was granted leave and the rules were suspended for the purpose of introducing bills

Mess. Martin and Thomas were granted leave of absence until Tuesday next

Mr Miller of Conway was granted leave of absence on account of sickness

Under suspension of rules

H. B. No 210 Mr Burton introduced H. B. No 210 An act

to be entitled an act to prevent obstructing the
Channel of Bayou Bartholomew
Which was read the first time and
Referred to the Committee on Roads and Highways

H.B. # 211 Also H.B. No. 211 An act to be entitled an act to
amend Section 3076 of Gantts Digest
Which was read the first time and
Referred to the Committee on County and Probate Courts

H.B. # 212 Also H.B No 212 A bill for an act to be entitled
an act to amend the laws of this State concern-
ing Railroads and Railroad Corporations or Companies
Which was read the first time and
Referred to Committee on Rail Roads

Mr Stubbs asks and was granted leave to
introduce the following Resolution
Resolved: That Dr Barnes Jones agent
of the Peabody Fund be invited to address
the House to day at 12. Oclock
Which was adopted

H.B. # 213 Mr Burton introduced H.B. No 213 A bill
for an act to be entitled an act to amend
the Criminal laws of this State
Which was read the first time and
Referred to the Committee on the Judiciary

The Sergeant at Arms announced a Mes-
sage from the Senate
Mr Fairley the Assistant
Secretary appeared and read as follows
Senate Chamber Feby 1879
Mr Speaker
I am instructed by the Senate to
inform your honorable body of the passage of
the following resolution
Resolved; That the Com-
mittee of the Senate on Penitentiary, Com-
bined with the Penitentiary Committee of
the House for the purpose of investigating
the charges preferred by Dr A.H. Deaton Peni-
tentiary Physician against Jeb Washburn
of the Penitentiary

Also

H.B. # 100 H.B. No. 1100 — A bill to be entitled an act
to donate all the Lands forfeited to the State

for non-payment of taxes, and Swamp and Overflowed lands lands lying in the Counties of Clark, Calhoun, Ouachita, Hot Springs and all of such lands in Dallas County, Situate North of Range 15 West and have carefully respectfully transmit the same for your favorable consideration

Lou D. Kretschmar, Secretary.

Mr Brady was granted leave, and the rules were suspended, and

Mr Brady introduced the following resolution

Whereas: The Resolution adopted by this House some days since requiring the Clerk to call the roll of Members for the introduction of bills, does great injustice to many members of this House and the people they represent, by depriving them of the privilege of bringing important measures committed to their care before this House, and the general Assembly act

Whereas: Every member has or ought to have equal privileges when this floor and the right to present to the House any measure in order, when he can obtain the floor

Therefore; Be it Resolved: That the Resolution aforesaid be rescinded

Mr Bobo moved an amendment that the resolution go into effect after the Clerk shall have finished the present roll call

Mr Harrison moved that the Resolution and Amendment be laid on the table and upon a division being called for sustained the House by a vote of 56 ayes adopted Mr Harrisons Motion.

Mr Blackwood moved for a Suspension of the rules that he might introduce bills

The House by a rising vote of 41 yeas to 20 nays refused to Suspend the rules

A.J.M Not being present for today

On motion of Mr. Dawson S.J.M No 1. was read a third time

The question then being Shall S.J.M No 1. pass.
S.J.M+1. The Clerk called the roll

The following members voted in the affirmative Messrs Archer, Baker, Barrett, Barry, Black of Boone, Black of Randolph, Blackwood, Babo, Brady, Brewer, Brinkley, Britt, Brown of Lee, Brown of White, Burke, Burns, Carter, Cheek, Conway, Cooley, Crichmore, Cumming, Davidson of Cald, Dorsey, Dunlap, Dickinson, Feltner, Gilpin, Fraser, Gillam, Greening, Hailey, Hare, Harrison, Hobson, Holden, Hall, Hilliard, Hudson, Jameson, Jordan, Joyner, Keech, Kench, King, Lee of Harnett, Lee of Norton, Lockhart, Love, Mack, Martin, McCormick, McCracken, McMurray, Miller of Cumb, Minor, Morris of Carteret, Morris of Stone, Murphy, Owen, Payne, Pickard, Priddy, Quarles, Riddick, Richardson, Simmons, Sinnett, Stanley, Tate, Taylor, Thomas, Turner, Tyson, Walker of Columbus, Walker of Washington, Wardin, Washburn, Weir, Williams, Wright & So Mr Speaker 82.

So the affirmative 82
So the negative None
Absent and not voting 10

So S.J.M. No 1. passed

Mr Barrett was granted leave and on his motion the rules were suspended and
C.R.+3. Mr Barrett introduced H.C.R. No 3. Instructing the Committee on Asylums & Charities to report a bill providing for an Insane Asylum
which was adopted

Motion a suspension of the rules
H.B.+214 Mr Blackwood introduced H.B. No 214 A bill for an act entitled an act to repeal an act entitled an act to license and regulate the trading on the navigable streams of this State." ratified March the 6th 1895. and to
Revise Sections 4294, 4295 and 4296 of South Dig Ed

which was read the first time and
Referred to the Committee on Ways and Means

HB# 215 Also HB No. 215. A bill for an act to be entitled an act to enforce the Liquor laws of this State"

which was read the first time and
Referred to the Committee on the Judiciary

HB# 216 Also HB No 216 A bill for an act to be entitled an act to require registration of attachments and Executions levied on Real Estate and of forced Sales of Real Estate"

which was read the first time and
Referred to the Committee on Circuit & Justices Courts

On leave granted Mr Turner, he sent to the Clerks desk and had read petition from Citizens; which on his motion was
Referred to the Committee on Ways and Means.

On motion leave granted Mr Shipp sent to the clerks desk petition which on his motion was referred to the County Committee on Constitutional Amendments

Mr McMurtrey presented petition which was on his motion referred to the Committee on Education

Mr Hanson moved that a Committee of three be appointed to wait upon Dr Sears and notify him that the House is ready to receive him at 12 Oclock M.
which was agreed to
The Speaker appointed as such Committee Messrs Hanson, Stubbs and Hanson of Sharp

On leave granted Mr Cunningham the House by a vote of 38 yeas to 18 nays suspended the rules and
HB No 151 was taken up

HB# 151 Mr Turner offers a substitute for HB# 151 it being HB No 217 A bill for an act to be entitled an act to amend Section 5. of an act entitled "An act Requiring fines and penalties to be paid into the County Treasury for County purposes"

HB# 217 Sub. for 151

Approved December 14th 1895 And for other purposes
Which was read the first time and
On motion of Mr Cunningham the rules were suspended
and H.B No 217 was 2d time and adopted and
made Special order for to morrow at 10 Oclock A M

On motion of Mr Dayler the Courtesies of the House
were extended to Mr Davis

On motion of Mr Mack leave of absence was
granted Miss Block of Randolph and Adjourned
until Thursday next

On Motion, Mr Irwin was granted leave of ab-
sence until Tuesday next, from to morrow

The next Special Order being the Contested
Election of Pulaski County

Mr Britt on the
part of the majority made the following
report

Mr Speaker — I am authorized
by a majority of the Election Committee to report
that they have had the Contested Election
case of J. R. Montgomery and due consideration
and Motion having been made to quash
the notice in said Contest — Therefore, we
respectfully ask, that said matter be referred
to the Committee on the Judiciary for their
legal opinion in reference to the insufficiency
of said Notice of Contest

Mr Phipps on the part of the Minority
reports as follows

J. R. Montgomery
vs
Martin Immott

Mr Speaker

We the undersigned Committee
on Elections have carefully considered the
Contested Case now before the Committee of
John R. Montgomery vs. Martin Immott.
The defence have not up to this time denied
that Montgomery did receive a plurality of
votes, fairly and legally polled over Mr Immott
Its the only plea Entered and contented for is to
the notice served on Immott. that it contains

also the name of E. L. Maynard and that Montgomery Cumnock counsel, the seats of persons at the same time. A Motion was made to amend the notice by J.R. Montgomery before submitting the case to the Committee— Citing the Case of Vance vs. Gayler 26th Ark 633. "The notice of writing & required by the Statute to be served on the opposite party in Contested Election Cases Amounts in effect to a declaration and Mch. If a declaration it may be amended before submitting the case for trial Gantts Digest Sec. 4616 page 817.

The Court may at any time for the furtherance of Justice and on such terms as may be proper Amend any Pleadings or proceedings by adding or striking out the name of any party, or by correcting a mistake in the name of a party &c"

Then the only question that present itself to the Committee to you is up to the right of the Contestant to Amend the Notice

The House then went into the Committee of the Whole Mr Haney in the Chair on the Contested Election Cases &c

After some time Spent in Committee of the Whole, the Committee rose, the Speaker resuming the Chair and the Committee through its Chairman Mr Haney reported that the Erroneous notice and report to be ordered printed and made Special order for Monday next at 7. O'clock P.M.

On motion of Mr Stubbs the Report was adopted

Mr Dawson from the Committee appointed to wait upon Dr Sears reported

On motion of Mr Conway Miss Mann of Clark was granted leave of absence

On motion of Mr Haney the House at 12. M. took recess until 2 o'clock P M

After Recess
at 2.00 Oclock P.M.

The Clerk called the Roll

The following members answered to their names Mess Archer, Bolen, Bennett, Bartlett, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Brake, Brewer, Britt, Brown of White, Brumfield, Bundy, Burris, Carter, Chiles, Coody, Creekmore, Davidson of Stanly, Davidson of Iredell, Dunlap, Dickinson, Deaton, Dixon, Dobson, Gilliam, Greening, Hanby, Hart, Harrison, Hobson, Holden, Holshouser, Hudson, Jernigan, Jordan, Keith, Kenan, Kincaid of Harnett, Lee of Newton, Londhammer, Love, Mack, Martin, McConnell, McCracken, McMurtrey, Miller of Clark, Minor, Moore, Morris of Currituck, Morris of Stanly, Murphy, Owen, Payne, Pinder, Priddy, Purnell, Ridenhour, Richardson, Rocker, Simmons, Sinnott, Stanly, Stubbs, Tate, Taylor, Turner, Tyson, Walker of Columbia, Walker of Washington, Wann, Washburn, Weir, Williams and Mr Speaker

a quorum present

Unfinished business being the Contested Election Cases of Burke County

Mr Davidson of Stanly moved that the Majority and Minority reports of the Committee on Elections, the Evidence, the Notices together with the Service be ordered printed and made Special Order for Monday next at 7.30 Oclock P.M.

Mr Barnett moved to lay the motion to finish on the table Upon a division called for & sustained the House by a vote of 45 yeas to 18 nays adopted the motion to table

On motion of Mr Barker the Committee on Penitentiary was excused -

HB 205 HB No 205 was reported back by Committee on Roads and Means on motion referred to Committee on Finance Courts

H.B. 218 On Motion of Mr Black of Randolph the Rules were Suspended and Leave granted Mr Black to introduce H.B. No 218. An act entitled an act to repeal Section four Thousand Seven Hundred and Twenty Seven (4727) of Gantts Digest and the first, Second and third Subdivision thereunder.

Which was read the first time and Referred to the Committee on the Judiciary

H.B. 219 Also H.B. No 219 An act entitled An act to protect the Ballot Box

Which was read the first time and Referred to the Committee on Elections

H.B. 220 Also H.B. No 220 An act to be entitled "An act to prevent the granting of free passes or tickets to the officers of this State by railroad or transportation Companies

Which was read the first time

Mr Pratt moved to reject the Bill

Upon a division being called for the Clerk called the roll

The following members voted in the affirmative

Mess Archer, Askew, Barnett, Black of Brown, Blackwood, Brewer, Britt, Bumpass, Bayles, Carter, Conway, Crank, Dinsmore, Dodrison of Izard, Harris, Dickinson, Dyer, Fleming, Hanly, Harrison, Hoban, Holder, Jamison, Kemp, Kingsbery of Newton, Lindsey, McMurtrey, Mills of Clark, Morris of Stone, Payne, Pindall, Pridgen, Richardson, Sennett, Tate, Tyson, Washburn, Williams, Wright and Mr Speaker 39.

The following voted in the negative Mess Berry, Black of Randolph, Bobo, Braly, Brown of White, Burris, Clark, Cooley, Cunningham, Davidson of Sharp, Dooley, Feltner, Fishpin, Fraser, Gilliam, Hunt, Holifield, Hudson, Jordan, Kerr, Lee of Howard, Love, Mack, Martin, McConnell, McCracken, Minor, Moore, Morris of Carroll, Murphy, Ozan, Quarles, Reddick, Rodgers, Stanley, Stubbs, Taylor, Terry, Wade of Columbia, Wade of Washington Wann and Weir 42

So the motion to reject was not agreed to

On Motion of Mr Dunson of Sharp the Bill was referred to the Committee on the Judiciary.

On Motion of Mr Cummings Substitute for H.B. # 51. being H.B No 217 was adopted and made Special order for to morrow morning at 10 Oclock

Mr Haney rose to a question of privilege and asked that Mr Durbush be allowed to withdraw his resignation which was agreed to

Mr Dunn of Lee was granted Leave of absence

Mr Durbush appeared and entered to his name

Mr Bobo was granted leave and on his motion the rules were suspended for the purpose of allowing the Committee on the Judiciary to report upon H.B. No. 60 H.B. No. 60

Mr Haney from said Committee made the following report

Mr Speaker

I am instructed by the Committee on Judiciary to whom was referred H.B No 60. Entitled "An act Concerning Counties" to report, That they do not doubt if said Bill is amended in the manner recommended that is to say by inserting between the words "Arkansas" and "be" in the second line of the first section the words "And all laws and parts of laws Making Counties Corporations and authorizing them to sue and be sued as such" that the mischief complained that can be attained by the passage of such an act even should it fail to produce the desired End. And in view by its Projector and most Zealous friends. Your Committee entertain no doubt as to the power of the Legislature to do all that is proposed by this Bill. It has been clearly and definitely ruled

by several courts of the highest authority that Counties are only ~~Corporations~~ quasi corporations, so far as they are created such by the sanction of Legislative Enactment and that this quality may be taken from them at the discretion of the same sovereign power. It seems to be equally clear that the Legislature may not only take from Counties their qualities of Corporations and quasi Corporations and Consequently the power to sue and be sued as such, but that their very existence may be blotted out and taken from them for all purposes whatever. But with these facts conceded it is maintained by at least one Court of high character and authority within its sphere, that parties who may have subsisting demands against dissolved or abrogated Counties are not wholly without a remedy to enforce their Claims when there is a fund existing or produced out of which the claim may be satisfied by a resort to a court of Chancery to subject the particular fund to the payment of the unsatisfied claim, and this remedy if it exists, must be in the nature of a proceeding in rem.

The Courts of the United States seem to be disposed to go to the extent of their jurisdiction and power to render abortive all efforts to defeat or embarrass the collection of claims against Counties, Cities and like Corporations by such devices as those we are now discussing. It is clear that by the operation of this bill, if passed into a law, the Counties in this State will be no longer Corporations under sanction of our laws, for by the terms of this bill, the provisions of our Statutes creating them such will be repealed and their corporate functions will be resumed by, annulled and restored to the State, so that no suit whether at Law or in Equity can be maintained against them as a body politic or Corporate

It is certain also that the State can not be sued for the has withheld in her Constitution the power or right to do her; If the State in the local administration of the territories forming the corporate limits of the several Counties should desire a local fund by taxation or otherwise to defray the local expenses of these several territories, it may be a question to be determined by the Federal Courts if this local fund can be reached by a proceeding in Equity, in the nature of a proceeding in rem to subject it to the payment of the ant debtedness of the several Counties whilst they has corporate existence,

Your Committee refrain from any expression of Opinion on this branch of the subject, being content to present the facts touching the matter under con, sideration in the hope they may have their proper influence in determining the disposition to be made of the Bill of which they have the honor to report back herewith.

In Conclusion your Committee recommend the accompanying Bill as prepared to be enacted into law, believing it to accomplish much, if not all, which was intended by it

All of which is respectfully submitted

D. B. Henry
Chairman

The Amendment was read the first time and On motion of Mr Dodd the rules were suspended and the Amendment was read a second time and adopted And

Under a suspension of the rules the title was amended to read as follows "An act Entitle an act to repeal Sections 937, 938, 939 944, 945, 946, 947, 948, 949 and 4516 of Gantt Digest and for other purposes

Which was read the first time and Rules were suspended and the Amendment was read a second time and adopted

Mr Dixon moved to amend by inserting that Franklin County be exempt from the provisions of the bill, which was agreed to

On Motion of Mr Bobo the bill was ordered Engrossed and made special order for Wednesday next immediately after the reading of the Journal

On Motion of Mr Dorsey the Majority and Minority reports of the Committee on the Contested Election in Pulaski County were referred to the Committee with instructions that they report as early as possible

On Motion of Mr Barnett the House by a rising vote of 42 yeas to 25 nays at 8 44 P M adjourned

John G. Holland
Clerk

J. S. Brandon
Speaker

House of Representatives

Little Rock Arkansas
Saturday February 15th 1879

The House met pursuant to adjournment at 9 30 Oclock A M

The Clerk called the Roll;
The following members answered to their names Mess. Archer, Askew, Barnett, Barton, Barry, Black of Boone, Blackwood, Cobb, Brady, Brevard, Brindley, Britt, Brown of Lee, Brown of White, Brumpass, Burke, Burns, Carter, Cheek, Conway, Coody, Cruikmay, Cunningham, Davidson of Clark, Davidson of Izard, Dunn, Dunlap, Dickinson, Felter, Filppin, Fraser, Furbush, Gillam, Greening, Hardy, Hare, Harrison, Hobson, Horton, Hudson, Jameson, Jordan, Joyner, Keith, Keith, King, Lee of Howard, Lee of Perry, Lowdermilk, Love, Mabe, McConnell, McMurtray, Mann, Moore, Morris of Izard, Murphy, Oran, Payne, Pinkley, Priddy, Randle, Riddick, Richardson, Rodgers, Simmons, Sinnett, Stanley, Stubbs, Tate, Taylor, Woodruff Columbia, Wood of Washington, Wynne, Washburn, Williams, Wright and Mr Speaker

A quorum present

Rev Dr Buchanan offered prayer

On motion, Mr Morris of Conway was excused

Mr Tyson was granted leave of absence until Thursday next

The Clerk read the Journal of yesterdays proceedings and there being no objection the same was approved and signed by the Speaker and Clerk of the House

HJR # 3. Mr Moore moved that the rules be suspended and that H.J.R. No 3 be taken up for the purpose of reading the amendment a second time which was agreed to

S.B. No 85 was then taken up and read a second time and ordered engrossed on motion the Resolution was ordered engrossed and made Special Order for Monday next at 11. Oclock A.M.

H.B. No 87 The hour of 10 Oclock A.M. having arrived H.B. No 87 being Special Order for this hour By unanimous consent, On motion of Mr Quarles the vote by which H.B. No 87 passed to a third reading was reconsidered and

On motion of Mr Quarles the bill was referred to the Committee on State Lands

The Sergeant at Arms announced a Message from the Senate

Mr Gaines the Secretary of the Senate appeared and said

Senate Chamber Feby 15. 1874.

Mr Speaker,

I am directed by the Senate to inform your Honorable body of the passage S.B. No 90. A bill to be entitled "An act to give County Courts the authority to hold Special Terms of County Courts in their respective Counties".

S.B. No 102 S.B. No 102 - A bill for "An act supplemental to an act to change the time for holding the Circuit Courts in the Third Judicial Circuit of the State and for other purposes".

And herewith respectfully transmit the same for your favorable Consideration

also

H.B. No 206 of the passage of H.B. No 206 - "An act to authorize a Special Term of the County Courts of Garland and Clark Counties" and herewith respectfully return the same

Lou D. Applegate, Secretary

On motion of Mr Conway Capt Joe White was invited to a seat upon the floor of the House

The same courtesy was extended to Capt Chadwell

On motion of Mr Burke
The next special order being
H.B. No 217. H.B. No 217.
(On motion of Mr Cunningham
the bill was read a third time
The question then being
Shall the bill (H.B No 217) pass
The Clerk called the roll
The following members voted in the affirm
ative Messrs Aiken, Barrett, Bartlett,
Berry, Brewer, Burke, Cunningham, Dan
forth, Dillingham, Durbin, Hanley, Hilton
Lee of Harrard, Lowe, Manier, Pindell, Priddy,
Quimby, Sinnott and Mr Speaker 20.

In the negative Messrs Archer, Black of Bowe
Blackmore, Bobo, Bray, Brice, Brown of Ken
Brown of Wilk, Burns, Carter, Chick, Cody
Czekanowski, Davidson of Kent, Davidson of
Balt., Dawley, Felton, Fitzpatrick, Graves,
Hillman, Greening, Hall, Harrison, Haslup,
Hudson, Jamieson, Jordan, Jorgensen, Keech
Kemp, King, Lee of Worth, Mack, McCo
Connell, Sheppard, Shore, Morris of
Hen., Owen, Riddick, Richardson, Robin
Simmons, Stanley, Stubbs, Tate, Taylor,
Warden of Columbia, Warner of Washington
Wilson, Washburn, Wilson and Wright 52

In the affirmative 20
In the negative 52
Absent and not voting 20
So the Bill (H.B 217) failed to pass.

On Leave granted Mr Brewer and a
two/thirds of the rules
H.B. 221 Mr Brewer introduced H.B. No 221.
An act entitled An act to amend sections
89, 90, 91 & 92 of the Revenue Laws "approved
March 5. 1875
which was read the first time and
Referred to the Committee on Ways and Means

H.B. 222 Also H.B. No 222 A bill to be entitled An act
to prorate the public Revenue from the fraudulent
acts of Collecting officials and other persons &

which was read the first time and
Referred to the Same Committee

Regular order being introduction of bills
the Clerk called the Roll
Mr Keith introduced H.B. No 223 A bill
for an act Entitled "An act to abolish
the office of Commissioner of State Lands"
which was read the first time and
Referred to the Committee on Retrenchment

H.B. 223

H.B. 224 Also H.B. No 224 A bill to be entitled "An act
to define the jurisdiction of Justices of the
Peace"
which was read the first time and
Referred to the Committee on Circuit & Justices Courts

H.B. 225 Also H.B. No 225 A bill to be entitled "An act
to amend Section five of an act Entitled
An act to Establish fees & Cost rates Feby
26th 1875
which was read the first time and
Referred to the Committee on County & Probate Courts

H.B. 226 Mr Joyner introduced H.B. No 226. An act
to repeal the remaining Section of Gantts
Digest
which was read the first time and
Referred to the Committee on the Judiciary

H.B. 227 Also H.B. No 227. An act to amend Section
2381. of an act Entitled an act "Malicious
Mischief and Trespass" as injury to property
which was read the first time and
Referred to Committee on Circuit & Justices Courts

H.J.M. 6 Mr Kemp was granted leave of the House being
no objection. introduced H.J.M. No 6.
"Indian Reservation lying in Pope County Arkansas
which was read the first time and
Referred to the Committee on Memorials

H.B. 228 Mr Jamison introduced H.B. No 228 A bill for
A act to be entitled "An act to amend Sec.
three(3) of an act entitled An act to amend
Section Six Hundred and one (601) and
Six Hundred and two (602) of Gantts Digest
and to limit the powers of County Courts and

agents to make Contracts, and to regulate appropriations" approved December 7th 1875.
Which was read the first time and Referred to the Committee on County and Probate Court.

HB#229 Also H.B. No 229 A bill for an act to be entitled "An act to amend Section Seventy five (75) of an act fixing the regular time for holding the County Courts of the State and for fixing the Salary of the County Judges and the per diem pay of Associate Justices in the several Counties in this State" approved July 5. 1875
Which was read the first time and Referred to the same Committee.

HB#230 Also H.B. No 230 An act to provide for the Education of the Blind and for other purposes
Which was read the first time and Referred to Committee on State Charitable Institutions

HB#231 Also H.B. No 231. A bill for an act to create the County of Osborne and for other purposes
Which was read the first time and with the Petitions referred to the Committee on Counties and County lines

HB#232 Mr Hudson introduced H.B. No 232. A bill for an act for the relief of C. J. Mackey for money Erroneously paid into the Treasury
Which was read the first time and Referred to the Committee on Claims.

HB#233 Mr Hudson (by Mr Hubbell) introduced H.B. No 233 A bill to be entitled an act to have the field notes of survey of this State and the records of the Surveyor Generals office made and the same declared of Public Records
Which was read the first time and Referred to the Committee on State Lands

HJM#7 Also H.J.M. No 7. Joint Memorial asking Congress for an appropriation for the improvement of the Sourche La Terre River
Which was read the first time and Referred to the Committee on Memorials

H.J.M.#8 Mr Shaw introduced H.J.M. No 8. Asking the U.S. Congress for an appropriation to aid in the improvement of the Saint Francis River"
Which was read the first time and Referred to the Committee on Memorials

H.B.#234 Also H.B. No 234 A bill to be entitled An act to aid in the construction of the Iron Mountain and Helena Rail Road"
Which was read the first time and Referred to the Committee on Railroads.

H.B.#235 Mr Manly introduced H.B. No 235 A bill to be entitled "An act to authorize and empower County Courts of this State to correct assessments of Real Estate, so as to reduce the same to its present Cash value"
Which was read the first time and Referred to the Special Committee on Revenue

H.B.#236 Mr Greening introduced H.B. No 236
Which was read the first time and Referred to the Committee on Agriculture

H.B.#237 Also H.B. No 237. An act to be Entitled "An act to authorize Clerks of the Circuit Courts to appoint a deputy between the age of Eighteen and Twenty one years"
Which was read the first time and Referred to the Committee on Circuit & Justices Courts

H.B.#238 Mr Purbush introduced H.B. No 238 "An act Entitled "An act to repeal sec 5165 Gantts Digest"
Which was read the first time and Referred to Special Committee on Revenue

H.B.#239 Mr Fraser introduced H.B. No 239 A bill to be Entitled "An act to protect the citizens of Prairie County from unprincipled Sons of Millages"
Which was read the first time and Referred to the Committee on Circuit & Justices Courts

H.B.#240 Mr Shippin introduced H.B. No 240 A bill for an act to be entitled An act to amend Section Ten of an act entitled "An act to provide Means for paying

the Expenses of the State Government and to retire the outstanding Warrants and Treasurers Certificates" Approved Decbr 23. 1874.
Which was read the first time and Referred to the Committee on the Judiciary

NB# 241 Mr Dickinson introduced N.B. No 241. An act to Continue in Office the Justices of the Peace C.F. Garland and L.C. Thomas"
Which was read the first time and Referred to the Committee on Circuit & Justices Courts

NB# 242 Also N.B# 242 An act approved January 21st 1875 Entitled an act to protect mills Closure from trespass"
Which was read the first time and Referred to the Committee on Agriculture

NB# 243 Also N.B. No 243. An act to amend & Chapter 386 Gantts Digest and to provide for General assignment for the payment of debts"
Which was read the first time and Referred to the Committee on the Judiciary

NB# 244 Also N.B No 244 An act to allow the redemption of Lands sold by decree of Courts of Chancery"
Which was read the first time and Referred to the Committee on the Judiciary

NB# 245 Also N.B. No 245. An act to adjust the indebtedness of that portion of territory cut off from Chicot County and added to Desha County by act No 28 Approved Feby. 10th 1879, Entitled "An act to change the boundary line between the Counties of Chicot and Desha and for other purposes
Which was read the first time and Referred to the Committee on Counties & County lines

NB# 246 Mr Davidson of Hunt introduced N.B No 246 A bill for an act to repeal Section 1382 of Gantts Digest"
Which was read the first time and Referred to the Committee on the Judiciary

NB# 247 Mr Cummingham introduced N.B No 247. A bill to be Entitled "An act to amend

Section four (4) of an act entitled "An act to prevent the Sale or giving away of Vinous Spirituous or Intoxicating Liquors within three (3) Miles of any Academy, College or University in this State"
which was read the first time and Referred to the Special Committee on Temperance

NB# 248 Mr Crissmore introduced NB No 248. A bill to be entitled "An act to provide for the reclamation or donation of certain forfeited lands in the Counties of Crawford and Drew"
which was read the first time and Referred to the Committee on Railroads

NB# 249 Also N.B. No 249 A bill to be entitled An act to amend Section 5358 of Gantts Digest and for other purposes"
which was read the first time and Referred to the Committee on Roads and Highways

NB# 250 Also N B No 250. A bill to be entitled An act to amend Chapter 34 of Gantts Digest
which was read the first time and Referred to the Committee on Cities and Towns

NB# 251 Also NB No 251 An act to amend An act Entitled "An act to prevent the Carrying of Fire Arms and other deadly weapons
which was read the first time and Referred to the Committee on the Judiciary
Mr Cooley introduced

NB# 252 N.B. No 252 An act to amend Section 2546 Gantts Digest
which was read the first time and Referred to the Committee on Circuit and Justices Courts

NB# 253 Also N B No 253 A bill for an act to amend Section One (1) of an act Entitled "An act to change the time of holding the Circuit Court of White County" approved November 16th 1875
which was read the first time and Referred to the same Committee

NB# 254 Mr Conway introduced N B No 254 An act to be entitled An act to restore Docket Entries and papers of Justices of the Peace when lost or destroyed

which was read the first time and
Referred to the same Committee

HB#255 Mr Oneil introduced H.B. No 255 An act
to amend Section 5817 Chapter 118 of Gantts
Digest
which was read the first time and
Referred to the Committee on Roads and Highways

HB#256 Also H.B No 256 An act to be entitled an
act to promote the increase of fish of Ferry
Lake in this State"
which was read the first time and
Referred to the Committee on Agriculture

HB#257 Mr Brown introduced H.B No 257 A bill for
an act to be entitled "An act to prevent
the mortgaging of growing and un-
planted Crops"
which was read the first time and
Referred to Committee on the Judiciary

HB#258 Mr Brown introduced H.B 258 A bill
for an act to provide for the prescription
of stock"
which was read the first time
and Referred to the Committee on Circuit and
Justices Courts

HB#259 Also H.B. No 259 An act entitled an act
to throw a proper safe guard around the
public money
which was read the first time and
Referred to the Committee on the Judiciary

HB#260 Mr Brumpass introduced H.B. 260.
An act authorizing the Auditor to make
Settlement with Theodore H Phillips as
one of the Sheriffs upon the Bond of
James S. Smith dec'd late Sheriff and
Collector of Jefferson County"
which was read the first time and
Referred to the Committee on Claims

HB#261 Mr Brumpass introduced H.B No 261
An act to be entitled an act for the
relief of Jno R Harrington"
which was read the first time and

Referred to the same Committee

HB# 262 Also HB No 262. A bill for an act to amend an act entitled an act requiring Railroad Companies to pay for damages to property And for other purposes Feby 5. 1875 approved

which was read the first time and Referred to the Committee on Circuit & Inferior Courts.

HB# 263 Mr Brown of Lee introduced HB No 263. An act changing the time for holding the Semi annual Terms of the Circuit Courts of Phillips County and giving Lee County an additional week at each of its Semi annual Terms of the Circuit Court in the first Judicial Circuit

which was read the first time and Referred to the Committee on the Judiciary

HB# 264 Also HB No 264 A bill for an act to be entitled An act to provide a Petit Jury fund in the several Counties in this State

which was read the first time and Referred to the Committee on Circuit & Inferior Courts

HB 265 Also HB No 265. A bill for an act to change the line between Izard & Lawrence Counties

which was read the first time and Referred to the Committee on Counties & County Lines

HB# 266 Mr Britt introduced HB No 266 An act Entitled an act to protect the property this State against Speculators, by preventing the issue of County warrants and to authorize the issue of tax Certificates

which was read the first time and Referred to the Committee on Ways and Means

HB# 267 Also HB No 267 Repealing act of Gantts Digest remaining unrepealed &c &c

which was read the first time and Referred to the Committee on Federal Relations

HB# 268 Brown introduced HB No 268 A bill for an act to prohibit the funding of State Scrip in Duncklorough Bonds and to prevent the

Anthu Sale of said bonds by the State Board
of Finance
Which was read the first time and
Referred to the Committee on Ways and Means

H.B. #269 Also H.B. No 269 an act to change the time
of holding the Circuit Courts of the County
of Washington
Which was read the first time and
Rules suspended and bill read a second
time and placed upon Calendar

Mr Brumley was granted leave and in-
H.B. #270 troduced H.B. No 270 A bill to be entitled
an act for the relief of the Estate of Alfred
A. Edmiston dec'd late Sheriff and Collector
of Marshall County
Which was read the first time and
Referred to Committee on Ways and Means

H.B. #271 Mr Bobo introduced H.B. No 271 A bill to be
entitled an act to amend Section Two
Thousand Seven hundred and Sixty nine
of Code, relative
Which was read the first time and
Referred to the same Committee

H.B. #272 Also H.B. No 272 an act to be entitled
an act to protect farmers and Laborers
in this State
Which was read the first time and
Referred to the Committee on Circuit Courts &c.

On leave granted Mr McConnell he
made the following Report
Mr Speaker
Your Committee on Enrolled
Bills have the honor to report that they
H. Bills Nos 18, 106 and 206 Have examined
and find them correctly Enrolled Signed by
the Speaker of the House of Representatives
and President of the Senate, and have, this day,
them to his Excellency the Governor for his
Consideration

H.B. #273 Mr Barry introduced H.B. No 273
an act to amend Section Twenty four of

an act Entitled an act for the incorporation organization and government of Municipal Corporations

Which was read the first time and Referred to the Committee on Cities and Towns.

HB# 274 Also HB No 274 An act to amend Sec. 12 of an act Entitled an act for the incorporation, organization and government of Municipal Corporations

Which was read the first time and Referred to the Senate Committee

HB# 275 Also HB No 275. An act to regulate the manner of Collecting Fees Costs in Cases of Appeal

Which was read the first time and Referred to the Committee on Judiciary

HB# 276 Also HB No 276 An act to amend an act entitled an act to alter the Fifth, Seventh and Eighth Judicial Circuits of the State of Alabama and to create the Twelfth Judicial Circuit to fix the times and for Holding Courts in the County Composing said Circuits

Which was read the first time and Referred to the Committee on Circuit & Inferior Courts.

HB# 277 Also HB No 277 An act to change and define the line between Garland and Montgomery Counties, Alabama

Which was read the first time and Referred to the Committee on Counties Lines

HB# 278 Mr Barnett introduced HB No 278 An act Entitled an act for the Security of State funds

Which was read the first time and Referred to the Committee on Public Expenditures

HB# 279 Mr Aiken introduced HB No 279 An act to amend Sections 2996 and 2998 of Code Digest

Which was read the first time and Referred to the Committee on Circuit & Inferior Courts

HB# 280 Also HB No 280 A bill to be Entitled

an act to prevent the sale of ardent spirits within three miles of Lamartine Columbia County Arkansas
Which was read the first time and Referred to the Committee on Temperance

H.B. 281 Also H.B. No 281 an act providing for the payment of Jury fees in certain civil actions in the Circuit Court and for other purposes
Which was read the first time and Referred to the Committee on Circuit & Probate Court

Mr Acklin introduced the following Resolution
Resolved: That rule 48 be and amended as to read as follows viz:
"Four Fifths of the members present (provided there be a quorum) may rescind the rules and upon motion the rules shall be suspended, if no objection be made: Provided that the rules shall not be suspended more than three times in any one day

Mr Fason moved that the Resolution lies over until Monday morning after the disposition of Special orders

Mr Richardson moved to table the Resolution

The House by a viva voce vote of 33 ayes to 14 nays tabled the Resolution

Mr Conway moved that after the disposition of the Special orders on Monday next Senate bills be taken up
Which was adopted

On motion of Mr Burke the privilege of the Hall of the House of Representatives was granted Mr Norris for Monday next at 7 P.M.

On motion of Mr Conway the House at 1:30 P.M. adjourned

John G. Holland
Clerk

J. S. Bearden
Speaker

House of Representatives.

Little Rock. Arkansas
Monday, Febuary 17th 1879

The House met pursuant to adjournment at 9:30 Oclock A. M.: The Clerk called the Roll. The following members answered to their names Mess Archer, Askew, Barnett, Black of Dane, Bobo, Braly, Brevard, Brinkley, Britt, Brown of Lee, Brown of White, Burke, Burns, Carter, Clark, Conway, Cosby, Cruikshank, Davidson of Sharp, Davidson of Izard, Dunnam, Dunlap, Feltus, Filkins, Fraser, Firbush, Gillam, Hanly, Hare Harrison, Hobson, Holder, Hudson, Jackson, Jordan, Joyner, Kemp, King, Lee of Hempstead, Lowe, Mack, McConnell, McMurtrey, Miller of Clark, Minor, Moore, Morris of Conway, Morris of Stone, Murphy, Owen, Payne, Pindall, Priddy, Quarles, Riddick, Richardson, Rodgers, Simmons, Stanley, Stubbs, Tate, Taylor, Thomas, Walker of Columbia, Walker of Washington, Wann, Washburn, Williams, Wright and Mr Speaker

a quorum present

On motion of Mr King, Mr Dunnigan was excused
On motion of Mr Hanly, Mr Dickinson was excused
On motion of Mr Harrison Mr Lee of Hempstead was excused
On motion of Mr Miller of Clark Mr Cunningham was excused
On motion of Mr Kemp, Mr McCracken was excused
On motion of Mr Priddy Mr Cunningham was excused

Rev'd Mr Buchanan offered prayer

The Clerk read the Journal of last Saturdays proceedings. Pending of the reading of the Journal on motion of Mr Barnett that part of the Journal referring to the introduction of bills and reference of the same to the proper Committees was dispensed with. And there being no objection the Journal was approved and signed by the Speaker pro tem of the House

On leave granted, Mr Tate moved a suspension of the rules that he might introduce the following Resolution.

Mr Pate offers the following

Whereas on the 20th day of January last (now near three weeks) this House did appoint a Committee to investigate charges of bribery in the late Senatorial Election &c Whereas this Session is fast approaching its close, and that so far nothing has been developed that is satisfactory to the demands of a violated public sentiment, and that the reputation of some of the best citizens of the State, the honor and fair name of this General Assembly loudly calls for a full, fair, rigid & impartial investigation and a speedy consummation of the work of said Committee, therefore be it

Resolved: That said Committee be earnestly urged to prosecute its labors diligently from day to day, without respite, and report at the earliest possible moment the result of its investigations; and be it

Resolved, further, that this House continue to aid, & assist & Co operate with said Committee in furtherance of the said desired end

&c

On further suspension of the rules Mr Brown offered the following

Resolved: That rule 48 be amended &c as to read as follows, viz:

Rule 48. Four fifths of the members present (provided there be a quorum) may suspend the rules, and upon motion the rules shall be suspended if no objection be made

Mr McConnell moved the following he having first obtained a suspension of the rules for that purpose

Resolved: That hereafter when the House adjourns it shall adjourn to meet at the hour of 9 Oclock A.M. the succeeding day

On motion of Mr McConnell the resolution was adopted

Mr Love made a suspension of the rules & offered the following

Resolved: That the Janitors

of the present House be allowed $3.00 per day the same that was allowed him at the last Session of the General Assembly

Mr Burke moved to amend by adding "And the Wood Cutter be allowed $2.00 per day. Mr Barnett moved to table the entire subject matter. On motion of Mr Quarles, Mr Cunningham of Jasper Mo. was extended the courtesies of the House

motion to table

Upon the Resolution and the amendment the ayes and noes were called for and sustained

The Clerk called the roll

The following members voted in the affirmative
Mess Askew, Barnett, Black of Boone, Bobo, Brewer, Burns, Cates, Chick Coody, Creek, Moore, Davidson of Lawr, Griffin, Fraser, Haney, Harrison, Hardin, Jordan, Keith, Kemp King, Mack, McDonnell, McMurtrey, Miller of Clark, Minor, Moore, Morris of Carroll, Orr, Randall, Priddy, Riddick, Richardson, Rodes, Simmons, Snyder, Thomas, Walker of Calhoun, Walker of Washington, Williams and Mr Speaker 40.

The following voted in the negative
Mess Archer, Bray, Britt, Brown of Lee, Brown of White, Burke, Davidson of Shelby, Dinsmore, Dooley, Felton, Firbush, Gilleon, Hare, Hobson, Hobson, Johnson, Joyner, Lee of Newton, Love, Morris of Stone, Murphy, Payne, Quarles, Stanley, Stubbs, Tate, Warren, Washburn, and Wright 29

So the motion to table prevailed.

Upon a suspension of the rules
Mr Burke introduced the following
Resolved; That the Wood Cutter, J. T. Ford be allowed the same wages as is allowed the Janitors — $2.00 per day
which was adopted

Mr Williams was granted leave and there being no objection offered the following
Resolved. That we hereby rescind the Resolution allowing each member of this House ten cents per day in Stamps and ten daily newspapers

~~And~~ their equivalent in Mecklus

Mr Harrison moves to table the Resolution
Upon which the ayes and noes were called
for and sustained
The Clerk calls the roll
The following members vote in the affirmative
Miss Archer, Asbury, Barnett, Bobo, Brewer, Britt
Brown of Lee, Burke, Clark, Conway, Creekmore,
Harrison, Hinkey, Hirbush, Hare, Hobson, Jordan
Joyce, McMurtrey, Murphy, Orsen, Payne, Pindall
Rhodes, Richardson, Simmons, Tate, Taylor, Thomas,
Wallace of Columbia, Washburn, Wright and Mr
Speaker
33

In the negative Block of Boone, Brady, Brown
of White, Burns, Cathey, Choate, Clendenin of Izard,
Clendenin of Izard, Cotter, Dishin, Fraser
Gillam, Hanly, Harrison, Holden, Hudson,
Jamison, Kerr, Kirk, Lamb, Lacy, Lee of Newton,
Lowe, Mack McConnell, Miller of Clark, Mimms,
Moore, Morris of Carroll, Morris of Stone,
Priddy, Riddick, Rodgers, Stanley, Stubbs, Wasson
of Washington, Wasson, and Williams
37

So the motion to table was not agreed to

Mr Stubbs moves the adoption of the Resolution

Mr Archer moved to postpone indefinitely action upon the Resolution Upon a division being called for and sustained

The House by a rising vote of 35 ayes to 29 noes sustained the motion to postpone

Mr Barry was excused until to morrow on motion of Mr Kirk

On motion of Mr Murphy the Courtesies of the House were extended to the Hon. J. G. Fletcher, Mayor and accompanying Citizens of the City of Little Rock

Mr Murphy presented a Resolution of the Council of Little Rock with an accompanying petition praying the passage of HB No 196. having reference to the prevention of Cruelty to animals; On which motion

of Mr McConnell was referred to the Committee on the Judiciary

Mr Brady from the Committee on Engrossed bills reported H.B. No 17. and H.J.R. No 5 Correctly Engrossed

H.B. No 17 being Special order for today Mr Brady moved that the bill be read a third time and placed upon its passage which was agreed to

The bill was thereon read a third time

The question being Shall the Bill pass The clerk called the roll

The following members voted in the affirmative Miss Archer, Askew, Barnett, Black of Boone, Bobo, Brady, Brewer, Britt Brown of Lee, Brown of White, Bryan, Burns, Carter, Church, Conway, Coody, Crittenden, Davidson of Sharp, Davidson of Izard, Dawson, Dooley, Felker, Phippin, Fraser, Galbreath, Gilliam, Grady, Hare, Harrison, Hobson, Holden, Hudson, Jamison, Jordan, Joyce, Keith, Kemp, King, Lee of Hinton, Lewis, Mack, McConnell, McMurtray, Miller of Clark, Minor, Murry, Morris of Carroll, Morris of Stone, Owen, Payne, Pindall, Priddy, Quarles, Riddick, Rodgers, Simmons, Stanley, Stubbs, Tate, Thomas, Miller of Columbia, Miller of Washington, Wilson, Williams, Wright and Mr Speaker 66.

In the affirmative 66.
In the Negative none
Absent and not voting 26

So the Bill (H.B No 17) passed

Upon leave granted the rules were suspended on Mr Brady introduced H.B No 282. A bill for an act to be entitled "An act to amend an act entitled an act to provide for an account of fees and emoluments of office; approved Feby 24th 1875. which was read the first time and Referred to the Committee on Ways and Means

On Motion of Mr Miller of Clark Mr Sanders was invited to a seat upon the floor of the House

On ~~motion~~ leave granted on suspension of the rules
HB# 285 Mr McMurtray introduced HB No 285 A bill to be entitled an act to amend an act entitled an act for the benefit of the Pleasant Ridge Academy in Bradley County: approved January 10th 1861. Which was read the first time
On motion the rules were suspended and the bill read a second time and made Special order for to morrow morning at 11. Oclock
HJR# 3 HJR No 3 being Special order for today at this 11th hour A.M.

Mr Fraser moved that it be referred to the Joint Committee on Constitutional Amendments

Mr Brady was called to the Chair

The motion to refer HJR 3 to the Joint Committee on Constitutional amendments prevailed

The Speaker resumed the Chair

On motion of Mr ~~Quinn~~ Dunlap indefinite leave of absence was granted Mr Stanley

On leave granted; the rules were suspended and
Mr Morris of Carroll introduced
HB# 284 HB No 284 An act to extend the time for the collection of Taxes in the Taxbooks of Carroll County for 1858, till the first day of September 1859.
Which was read the first time and
On motion of Mr Dillon the rules were again suspended and the bill read a second time and on further motion was made Special order for Thursday next at 10 Oclock A M

On motion of Mr Mullin of Clarke the Courtesies of the House were extended to Judge Bruce and Major Ross of Arkansaw

Mr Bow heard granted Mr Moore from the Committee on Retrenchment to make the following report in pursuance of

a Resolution adopted by the House
Mr Speaker

The Committee on Retrenchment have had under Consideration a resolution instructing the Committee "to inquire into and consider the expenditures of the various departments of the State Government during the last two fiscal years" and in obedience to the requirements of that resolution, report.

That the Expenditures of the Legislative department for the last two fiscal years Amounted to $68,754.$\frac{69}{100}$.

The Committee are of the opinion, that the cost of legislating, as shown above, is too great, and that it is eminently right and proper, that the first reduction of the State Government should be made in the per diem Compensation and Mileage of Members of the General Assembly and in the Compensation of all officers and employees thereof.

The Committee recommend therefore, that the mileage and per diem of the members of the General Assembly be reduced, and also the Compensation of the officers and Employees thereof, and that the Sessions thereof be every four years, instead of every two years. Such changes in the existing laws will, in the opinion of the Committee, reduce the expenses of the Legislative department Twenty five thousand dollars annually, and the State will receive no harm by such reduction and changes.

Judicial Department

The expenses of the Judicial department for the last two fiscal years were $80,890 or Annually $40,445 and the Committee are of opinion that these expenses may be lessened

1st By reducing the Salaries of the Circuit Judges $7500.00

2d By abolishing the Chancery Court of Pulaski County, which will reduce the expenses of the Judicial department $5000.00

3d By repealing the law paying Special Judges of the Circuit Courts for services, which will reduce the expenses of this department $2945. making a total reduction for each year of $15,445.$\frac{00}{100}$

The Salaries of State officers amount annually to $16,300.00

The abolition of offices and the reduction of salaries in this department as proposed by bills now pending will reduce annually this item of Expenses by $300.00

The Clerk hire and Contingent expenses of the Executive Department of State, amounted annually the last two fiscal years to $44,653.61

Your Committee are of opinion that the annual expenses above mentioned, can and ought to be reduced, at least $20,000.00 and that this can be accomplished by reducing the number of Clerks and their Salaries and in Contingent Expenses and by forbidding the offering or paying of Rewards by the State Constables, preventing the return of persons accused of crime.

The annual cost to the State of furnishing blank books, and blank Statement for assessors of towns from the Auditors report, to be about $600.00

And the Committee recommend such legislation as will dispense with this item of Expenses.

It is believed by the Committee that a form of blanks for each purpose should be prescribed and that the assessors of the several Counties should be required to procure the necessary forms at their own expense, allowing the Assessor if necessary a reasonable Commutation for each duplicate Statement he furnishes the taxpayer, to be paid by the person desiring such duplicate.

From the Auditors report we find that the amount paid for advertising the list of lands returned to the Commissioner of State Lands from the various Counties, together with the amount paid Recorders and Clerks for recording and certifying the same, was for the last two fiscal years $7821 56/100

The Committee are of opinion that this is a useless Expenditure, and recommend the repeal of the law requiring the same.

The Committee are also of opinion that the State pays either too much for the Public printing or has too much of it done

The printing for the State during the last two fiscal years cost $21,354.85

The amount paid for printing since the 1st

day of October 1878 including the amounts
paid for printing the reports of Statistician was
$12,722.52. Making a total of $24,077.40
This amount is altogether disproportionate
to the practical benefit derived by the people
from so much printing
The Committee recommend that less
public printing be done and that the ma-
ximum now allowed by law to be paid
thereof be reduced
It is the opinion and belief of your Com-
mittee that it costs the State too much to convey
Convicts to the Penitentiary
The Auditors report shows that about $2,000.00
has been paid to Sheriffs and their guards for
such services. From itemized accounts your
Committee is satisfied that expenditures in
this direction can be reduced at least thirty
per cent. The number of guards allowed
Sheriffs and the compensation of both Sheriff
& guard is too great. And a Statute or
Law should be prescribed for ascertaining
the number of miles traveled in such cases, by
the Sheriff & his guard.
Your Committee are further of opinion
that it is absolutely necessary that the burdens
of County government be lessened. The
economical administration of the State
Government can afford no relief to the
Citizens, if the Counties are in debt, and
the yearly taxes collected for County pur-
poses have to be disbursed without the tax
payer receiving an adequate return.
High taxation becomes intolerable when
corresponding benefits are not received.
There is scarcely a County in the State that
does not levy a tax to the utmost
limit, and scarcely one derives therefrom
sufficient revenue to meet current expenses
The conclusion seems inevitable — the
expenses of County government must
be reduced.
Finally, it is the opinion of
the Committee that it is within the power
of the present General Assembly
to reduce public expenditures, and to sub-
mit a proposition to the people for the curt-
ailment of expenses in the aggregate

amounting to $100,000.00 annually; and in view of the present financial condition of the State and tax burdened condition of the people your Committee earnestly urge such legislation.

E. B. Moore Chairman
W. M. Keck
Cecil Bobo
Wm Orem
Grad Burns
Isaac Gilliam

We Concur in the main with the majority report

Charles Minor
J. C. Wright

On motion of Mr Stubbs the report was adopted

On motion of Mr Minor the report was referred to the Committee on Ways & Means

Under a motion adopted on a previous day Senate bills were taken up

SJR 1 S J R No 1. was taken up and read the first time and
On motion of Mr Stubbs the rules were suspended and the resolution read a second time and
On motion of Mr Pickard it was referred to the Committee on Federal Relations

SB 11 S B No 11. was read the first time and on Motion of Mr Pickard the rules were suspended and the bill was read a second time and
On motion of Mr Conway it was made Special order for Wednesday next at 10: Oclock A. M.

S B No 12. was read the first time and referred to the Committee on the Judiciary

SB 14 S B No 14 was read the first time and on motion of Mr Thomas the rules were suspended and the bill was read a second time and made Special Order for to morrow morning at 11. Oclock

S. B. No 33

S.B. No 33 was read the first time and on motion of Mr Lee of Newton the rules were suspended and the bill read a second time. And on further motion it was made Special order for Thursday next at 10½ o'clock A. M.

S B No 46

S.B. No 46 was read the first time and on motion of Mr Barnes the rules were suspended and bill read a second time and made Special order for Wednesday next at 11. O'clock

S B No 9

S.B. No 9. was read the first time and on motion of Mr Conway the rules were suspended and bill read a second time and made Special order for to morrow morning at 10 30 o'clock A. M.

S B No 28

S.B. No 28 was read the first time and on motion of Mr Parker of Columbia the rules were suspended and the bill read a second time and made Special order for Wednesday next at 12 o'clock M

S.B. No 29

S.B. No 29 was read the first time and on motion of Mr Conway the rules were suspended and bill read a second time and referred to the Committee on Circuit and Justices Courts.

S B No 100

On motion of Mr Orrell and a suspension of the rules having been twice for Mr Orrell moved that S.B. No 100 be taken up. which was agreed to and S.B. No 100 was read the first time and on motion of Mr Mullin of Clarke the rules were suspended and the bill was a second time and

On motion of Mr Richardson it was ordered Special order for Friday next immediately after the reading of the Journal

The Sergeant at Arms announced a message from the Governor

Lieut Johnson the Private Secretary to the Governor appeared and was

State of Arkansas.
Executive Office
Little Rock Feb 17. 1879

To the Speaker of the House of Representatives
Mr Speaker.

The Executive Committee of the Industrial University and the Faculty thereof recommend unanimously that the annual vacation be in the Winter and not in the Summer. The youth, who come up from the South to Fayetteville in the Fall with malaria in their systems are seized with chills soon after their arrival and so weakened by Winter as to fall ready victims to pneumonia.

In order to make the change in the vacation, it is recommended that Continuous instruction be given after the Commencement in June until the 20th day of December when the non junior Class will be graduated, the next Session consisting of six months instead of nine. The annual Commencement day hereafter to be on or about the 10th December (according to the day of the week) and the vacation to consist of three months. If your Honorable Body make this change it will save the State the expense of Meeting of the Board of Trustees. It will be seen that the change imposes upon the Faculty an extra term of teaching and it is recommended to make a Special appropriation to meet the expenses of that term.

There is almost a universal desire for the enlargement of the Board of Trustees so that the various Districts of the State may be better represented.

I would recommend that the number be increased to Eleven

W. R. Miller
Governor

The Speaker announced Mr Brady to the Chair

A Message was announced from the Governor. Gen Dunnaway appeared and read

as follows

State of Arkansas
Executive Office
Little Rock Feb 17th 1879

To the Speaker of the House of Representatives
Mr Speaker

I have this day approved and signed the following bills

HB# 206 — H.B. 206 An act to authorize a special term of the County Court of Garland and Clark Counties

HB# 106 — H.B. 106. A bill to make an appropriation to pay the funeral Expenses of the late Hon C. C. Holman.

HB# 18 — H.B. 18 An act to change the time for holding the Circuit Courts in the Third Judicial Circuit of the State of Arkansas and for other purposes

W. R. Miller
Governor

The Sergeant at Arms announced a Message from the Senate

Mr Dickerly the Assistant Secretary of the Senate appeared and read as follows.

Senate Chamber Feby 17. 1879

Mr Speaker

I am instructed by the Senate to inform your honorable body of the passage of

HB# 50 — S.B. No 50 = A Bill to be entitled "An act to encourage the building of Railroads in the State of Arkansas" and herewith respectfully transmit the same for your favorable Consideration

Lon D. Kretzhmar
Secretary

Mr Sindall from the Committee on the Judiciary was granted leave to report. The report is as follows.

Mr Speaker

HB# 115 — Your Committee on Judiciary to whom was referred H.B. No. 115. have had the same under Consideration and report the same and the amendment.

back to the House. And respectfully report that there is no Constitutional objection to either the bill or the Amendment thereto.

They recommend the passage of the Bill with the Amendment reported by the Majority of the Rail road Committee, but would recommend the following addition thereto to make the same more explicit

"That nothing herein shall be Construed to apply to any property real or personal belonging to any Railroad Company not necessary to the daily running, operations of said Railroads"

And your Committee recommend that the Bill be further amended, by adopting the amendments reported by the minority of said Railroad ~~Committee~~

The amendment as reported was read the first time

And on motion of Mr Pinson it was made Special order for Wednesday next at 12. Oclock. M.

On motion of Mr Date the House at 1. Oclock PM adjourned

John G. Holland
Clerk

J. A. Bearden
Speaker

House of Representatives

Little Rock Arkansas
Tuesday February 18th 1879

The House met pursuant to adjournment at
9 Oclock A. M

The Clerk called the Roll

The following Members answered to their names
Mess Archer, Askew, Barnett, Barry, Blakely
Boone, Bobo, Brady, Brewer, Britt, Brown of Ark,
Brown of White, Brumbaugh, Burke, Burns, Austin
Cheek, Conway, Cooley, Crutcher, Davidson of
Sharp, Davidson of Izard, Dawson, Dunlap,
Feltner, Fishback, Hippin, Fraser, Furbush,
Gillam, Harris, Hare, Harrison, Holder, Hudson
Jameson, Jordan, Joyner, Keats, Kinsworth, King,
Lee of Howard, Lee of Hunter, Lenderman, Love,
Mack, Maynard, Martin, McLaurine, McCracken,
McMinnay, Miller of Clark, Minor, Moore, Morris
of Carroll, Morris of Howe, Murphy, Oran,
Payne, Pindall, Priddy, Quails, Richardson
Rodgers, Simmons, Stubbs, Tate, Taylor, Timmons,
Trimm, Tucker of Columbia, Turnbow Washington,
Wann, Washburn, Williams, Wright and
Mr Speaker

a quorum present

Mr Brantley was excused on motion of Mr
Bone

Mr Hein was granted leave of absence
until Thursday next on motion of Mr Miller of Clark

Revd Adams of Monroe offered prayer

The Clerk read the Journal of yesterdays
proceedings and the Journal was corrected by
showing that the House by unanimous
consent agreed upon the resolution in-
troduced by Mr McConnell changing the time
of meeting from 9:30 to 9 Oclock AM
Pending the reading, that part of the Journal
having reference to a report theretofore
by the Committee on Retrenchment was dis-
pensed with on motion of Mr Hippin.
After which the Journal was approved and
signed by the Speaker and Clerk of the House

On motion of Mr Phelps the recommendations made by the Governor referring to the Industrial University were referred to the Committee on Education

The order of this hour being the reading of Senate bills

SB No 64 was read the first time &c
On motion of Mr Taylor the rules were suspended SB 64 was read a second time and made Special order for Monday next at 10 30 Oclock A.M.

SB 55 SB No 55 was read the first time &c
On motion of Mr Runnion the rules were suspended and the bill was read a second time &c On motion of Mr Minor referred to the Committee on Circuit and Justices Courts

SB 44 SB No 44 was read the first time &c
On motion of Mr Taylor the rules were suspended SB 44 was read a second time and made Special order for Monday next at 11 Oclock A.M.

SB 90 SB No 90 was read the first time &c
On motion of Mr Miller of Clark the rules were suspended and the bill read a second time and made Special order for Saturday next at 11. Oclock A.M.

SB 102 SB No 102 was read the first time &c
On motion of Mr Harrison of Shasta the rules were suspended SB 102 was read a second time &c and made Special order for Saturday next at 11 30 Oclock A.M.

SB 50 SB No 50 was read the first time. &c
On motion of Mr Mallett of Washington the rules were suspended &c the bill was a second time &c and made Special order for to morrow morning at 10 15 Oclock A.M.

On leave granted Mr Ohleyer the was allowed to report upon SB No 87. &c the report is as follows

AB 87 To the honorable the House of Representatives
Mr Speaker
Your Committee on State Lands to whom

was referred H B No 87 entitled An act to provide for building and repairing the public levees in this State would respectfully report

That they have had the same under consideration and return the same with a recommendation that the same be amended as follows.

Amend the 1st section by striking out the word "shall" in the fourth line of the bill and insert in lieu thereof the word "may"

And to further amend the 1st section by adding to the end thereof, the following words "Provided that no such district shall be formed, unless notice of an intention to apply therefor be first given by posting written notices in three public places in the limits of the proposed district at least ten days before the formation of said district. Said notice may be given by any land holder in said district, or by order of the Court made at a preceding term"

And to amend the 4th section of said Bill by inserting in the eighth line of said bill, after the word "elected" the following words "by the Court and Clerk, who shall be constituted a Board of Canvassers to canvass the vote at said Election, and declare the result thereof"

And to further amend said section by adding to the end thereof the following words "Provided, that in case any person voted for at said Election shall contest the election of either of said officers, he shall commence proceedings within days days after the result of said Election is declared by said Court. And said Contest shall be conducted in the same manner and governed by the same laws as is now or hereafter may be prescribed for contesting the election for Constable"

And also to further amend said Bill by adding to the end of section 14 the following words "Provided said Judgment shall not be in personam, and shall not extend to any property, except the land & charges with said assessment as hereinbefore provided"

And also further amend said Bill by striking out the 25th section and inserting in lieu thereof the following section

"The said Board of Levee direction shall have charge of all the public levees in their said district, and shall keep the same in repair and

for this purpose shall have power to employ labor and indemnify the same. Provided that no repairs shall be made or money expended under the provisions of this section except when authorized by a vote of the landholders at a meeting to be held in accordance with the provisions of section 23 of this act."

And also further amend said Bill by striking out the whole of sections 17, 18 & 19 and the numbers of the sections ~~so changed~~ after said sections so stricken out be changed to correspond and follow the sections preceding the same.

And they recommend that said Bill so amended do pass and become a Law

The Amendment was read the first time

On Motion of Mr Dudley the rules were suspended and the amendments read a second time and made Special order for Saturday next at 10. O'clock.

The hour of 10. O'clock A M having arrived H.B. No. 187 Special order for this hour in the Committee of the whole

Mr Brady was called to the Chair

After the House had ~~spent~~ sometime in Committee of the whole.

The Committee rose

The Speaker resumed the Chair

Mr Brady the Chairman of the Committee reported H.B. No 187. back to the House with the recommendation that it pass without amendment and

On motion of Mr Wallace of Washington the report was adopted

On motion of Mr Brady the second section of the Bill was amended by inserting after the words "purpose of" the words "creating a Sinking fund and"

The amendment was read the first time

On motion the rules were suspended and the amendment read a second time and adopted.

Mr Thomas moved to strike out the words "One half of one Mill" in Sec 1. and called for the yeas and nays which was sustained

The Clerk called the Roll

The following members voted in the affirmative, Messrs Bobo, Britt, Brown of White, Coody, Davidson of Sharp, Davidson of Izard, Dunley, Fraser, Hamby, Harrison, Jamison, Kelley, Lee of Howard, Lee of Newton, Love, Mack, Maynard, McConnell, McCracken, Morris of Carroll, Murphy, Rice, Rogers, Shelby, Smith, Stubblefield, Thomas, Wallace of Columbia, Washburn and Williams 22

The following voted in the negative Messrs Archer, Ashley, Barnett, Barry, Black of Boone, Bradley, Brewer, Brown of Lee, Bumpass, Burks, Burris, Carter, Church, Conway, Crumbaker, Dunn, Felton, Fishback, Flippin, Forbush, Gillam, Harmon, Holder, Hudson, Hyde, Jeffrey, Jones, Kavanaugh, Lewellen, Lindsey, Lofton, Lowe, Mahony, Matthews, McCord, McDonald, McGaughey, McGill, McKinney, Miller, Mitchell, Moix, Moore, Morris of Sebastian, Murphy, Nelson, Newman, Nichols, Parker, Pilkinton, Pittman, Pryor, Purkins, Ragsdale, Rainwater, Reed, Rhoton, Robertson, Rodgers, Rogers, Rowland, Sanders, Scott, Shaver, Shinn, Smallen, Smith, Spencer, Stephens, Stewart, Stroud, Sullivan, Taylor, Thurman, Tucker of Columbia, Tucker of Jefferson, Turner, Vaughan, Wade, Walker, Warren, Washington, Watson, Wells, Wilkinson, Wright and Mr Speaker 55

So the motion to strike out was lost

Mr Wallace of Columbia moved to strike out "four" and insert "three and one half" in section first.

And upon that motion the ayes and noes were demanded and sustained The Clerk called the roll

The following members voted in the affirmative Messrs Black of Boone, Bobo, Britt, Brown of White, Burris, Church, Coody, Crutchmore, Davidson of Sharp, Davidson of Izard, Dunley, Fraser, Hamby, Hare, Jamison, Jordan, Kirk, Kelley, Lee of Howard, Lee of Newton, Mack, Maynard, McConnell, McCracken, Minor, Moore, Morris of Carroll, Murphy, Rice, Simmons, Stubblefield, Thomas, Wallace of Columbia, Wann, Washburn and Williams 36.

The following voted in the negative. Messrs Archer, Ashley, Barnett, Barry, Bradley, Brewer, Brown of Lee, Bumpass, Burks, Carter, Conway, Dunn, Felton, Fishback, Flippin, Forbush, Gillam, Harmon, Holder, Hudson

Joynes, Kemp, Lordumieu, Love, Martin, McGinty, Miller of Clarke, Morris of Stone, Owen, Payne Pindall, Priddy, Quarles, Richardson, Rodes Tate, Taylor, Tinney, Warren of Washington, Wright and Mr Speaker 41.

So the motion of Mr Warren of Columbia was lost

Mr Harrison of Izard moves to amend the second sub division of Section first by striking out "four Mills" and insert in lieu thereof "three and three fourths mills

Mr Askew moves substitute by making it 7/8 of one Mill

Which was not agreed to

Mr Harrison of Izard calls for the ayes and noes and sustained

The clerk called the Roll when the following members rose answered to their names Messrs Black of Boone, Bobo, Britt, Brown of Mississippi, Brown, Cheek, Crady, Crittenden, Harrison of Izard, Harrison of Izard, Hendley, Henry, Hill, Hargrove, Jordan, Keith, King, Lee of Hempstead, Lee of Lafayette, Mack, Mallard, McCormick, McCracken, Minor, Moore, Morris of Carroll, Murphy, Riddick, Simmons, Stubbs, Thomas, Walker of Columbia, Wann, Washburn and Williams 37.

The following voted in the negative Messrs Aroyer, Askew, Barnett, Berry, Brady, Brown, Brown of Lee, Bunyard, Byrd, Curtis, Conway, Harper, Felter, Fishback, Hyppia, Gardner, Harrison, Holder, Hudson, Joynes, Kemp, Lordumieu, Love, Martin, McGinty, Miller of Clarke, Morris of Stone, Owen, Payne, Pindall, Priddy, Quarles, Richardson, Rodes, Tate, Taylor, Tinney, Walker of Washington, Wright and Mr Speaker 40.

So the motion of Mr Harrison of Izard was lost

~~On motion of~~ Mr Barnett moved the bill was ~~read~~ ordered Engrossed and made Special order for

to morrow morning at 11 o'clock
And moved the previous question, which was ordered.

The question being for the Engrossment of the bill and the making it Special order for to morrow morning at 11 o'clock
~~It which~~ was agreed to.

SB# 9. SB No 9. was next Special order
On motion SB No 9 ~~was recommitted~~
~~to the Committee on Judiciary on motion of Mr Warren~~
It was referred to the Committee on Judiciary

HB# 283. H.B. No 283 being next Special order
On motion of Mr Dupkin HB# 283 was read a third time
The question then being
Shall the bill (H.B. 283) pass
The Clerk called the Roll
The following members voted in the affirmative
Mssrs Archer, Askew, Barnett, Barry, Black of Dooly, Bobo, Braly, Brewer, Britt, Brown of Lee, Brown of White, Brumbass, Burke, Cain, Clark, Conway, Coody, Crenshaw, Davidson, Sharp, Hardeman of Dodd, Dawson, Dudley, Felton, Fishback, Hopkins, Fraser, Frederick, Gillam, Hanly, Hare, Harrison, Holder, Hudson, Jennings, Jordan, Joyner, Kent, Kemp, King, Lee of Worth, Lee of Burke, Lewis, Mack Maynard, Martin, McConnell, McCracken, McGee, Mayfield, Miller of Clark, Minor, Moore, Morris of Stone, Murphy, Owen, Payne, Pendall, Priddy, Quarles, Riddell, Richardson, Rodgers, Simmons, Stubbs, Tate, Taylor, Thomas, Towns, Turner of Columbia, Turner of Washington, Vann, Williams, Wright and Byrd.
74

In the Negative Mr Brown 1.

In the affirmative 74
In the negative 1
Absent and Not voting 17
92

So the Bill (HB 283) passed

1874 S.B. No 14 being next Special order
On motion of Mr Thomas SB No 14 was
read a third time.
The question then being
Shall the bill pass,
The Clerk called the Roll
The following Members rose in the affirmative
Mess Archer, Aiken, Barnett, Barry, Black of Bone,
Bobo, Brady, Brearey, Britt, Brown of Ab, Brown
of White, Bthrupes, Burke, Burns, Cantey, Cauthen,
Conway, Coody, Cruckmore, Davidson of
Clarke, Davidson of Bard, Dargan, Dunbar,
Dickard, Dupre, Drake, Durbush, Gilland,
Hardy, Hare, Harrison, Holden, Hudson,
Jamison, Jordan, Joyner, Keith, Kemp,
Kirby, Lee of Abbeville, Lee of Sumter, Lindsay,
Lord, Mack, Mauldin, Martin, McConnell,
McCracken, McMurtrey, Miller of Clarke, Minor,
Moore, Morris of Lan, Murphy, Owens,
Payne, Pindar, Priddy, Quattlebum, Riddick,
Richardson, Rodgers, Shannon, Stubbs, Tate,
Tayler, Thomas, Turner, Trowbridge of Columbia,
Tucker of Washington, Wallace, Wright and
Mr Speaker 74

In the affirmative 74
In the Negative None
Absent or not voting 18

So the Bill (SB 14) passed

On Motion of Mr Tate The House
at 12 1/2 o'clock P.M. took a recess
to 2. o'clock P.M.

After Recess
at 2. o'clock P.M.

The Clerk called the roll the following
Members answered to their names Mess.
Archer, Aiken, Barnett, Barry, Black of Bone,
Bobo, Brady, Brearey of Lex, Brown of White,
Brunpues, Burke, Burns, Cantey, Cauthen,
Conway, Coody, Cruckmore, Davidson of
Clarke, Davidson of Bard, Harrison, Dunbar,

Tellier, Dishback, Hippin, Fraser, Furbush, Gilman,
Hunt, Harrison, Holden, Jameson, Jordan, Joyce,
Kent, Kimp, King, Lee of Harvard, Lee of Newton,
Lowdenslager, Libby, Mack, Martin, McConnell,
McCracken, Miller of Clinton, Minot, Moore,
Morrill of Carroll, Morrison of Stonington, Murphy,
Owen, Payne, Pierce, Priddy, Quinby, Richards,
Rowe, Rodick, Simmons, Stubbs, Tate, Tayler
Thomas, Turner, Tuttle of Columbia,
Tuttle of Washington, Wilson, Washburn,
Williams, Wright and Mr Speaker
A quorum present

On motion of Mr Conway Leave of absence was granted Mr Hobson

On motion of Mr Tate the following was ordered for the purpose of allowing Standing Committees to report

Mr Tate reports as follows.
Mr Speaker
Your Committee on Counties and County lines
H.B. #160 to which was referred H.B. #160 entitled Resolution to change the boundary line between the Counties of Lincoln, Jefferson and Waldo Counties and for other purposes beg leave to report the same back and recommend its passage

Also the following
Mr Speaker
The Committee on Counties and County lines
H.B. #245 to which was referred H.B. #245 have had the same under consideration and have instructed me to report the same back with a recommendation that it do pass

Also the following
Mr Speaker
The Committee on Counties and County lines
H.B. #111 to which was referred H.B. No 111 have had the same under consideration and have instructed me to report the same back with the following Amendment with a recommendation that it do pass
Amendment as follows

Section 9. Be it further enacted That it shall be the duty of the present Clerk of Clark County to ascertain the exact amount of the outstanding Scrip against the County of Clark issued since the 10th day of August 1875. - at the time of the passage of this act and what amount of said indebtedness would fall to the inhabitants upon the real and personal property of that portion of Clark County hereby attached to Nelson County and what amount of said indebtedness would fall to the inhabitants upon the real and personal property of that portion of Clark County hereby attached to Nevada County and to transmit a statement of the same to the Clerks of Nelson and Nevada Counties and it shall be the duty of the County Courts of Nelson and Nevada Counties at the June Term thereof to examine and correct & cause to be entered of record and charged to the portion attached to Nelson County and also the portion attached to Nevada ~~County~~ County and nothing herein contained shall prevent the County Courts of said Counties from contesting the validity of any of said Scrip issued

Sec 10. Be it further enacted that J. A. Ross the present Clerk of Clark County shall be and he is hereby authorized to make out and present his account for fees and amounts paid out by him for stationary &c since his last settlement with said Clark County and transmit the proportional part as provided in the foregoing section and it shall be the duty of the County Courts of Nelson and Nevada Counties to allow the same if found correct and to draw warrants on the Treasurer of their respective Counties for the same.

Sec 11 Be it further Enacted That no debt contract or obligation hereto fore made

Made by Clark County shall be collected of the County of Nevada

Dec 17. Be it further enacted. That the County Site of Nevada County as now established by law shall not be removed by any Court or otherwise at any time within Eight years from the passage of this Act

The amendment was read the first time

Mr Jameson from the Committee on Charitable Institutions reports as follows.

Mr Speaker

A.B. 56 Your Committee on State Charitable Institutions having had under Consideration A.B. No 56 herewith return the same with the recommendation that it do pass after the following amendments have been made in it, Viz:

To amend 1st sect, by Striking out $5000.00 and inserting $5000.00 And also to strike out in the same Section $150.00 And insert $150.00. To amend Sect 2. by Striking out $2000.00 and inserting $1500.00 or so much thereof as may be needed at a rate not to exceed $50.00 per pupil.

The amendment was read the first time

Also the following

Mr Stratton

A.B. 165 Your Committee on State Charitable Institutions having had under Consideration A.B. 165 herewith return the same with the recommendation that it do not pass, believing that the object sought in the Bill will be attained by the Census of 1880 without any Expense to the State

Also the following

Mr Stratton

A.B. 200 Your Committee on State Charitable Institutions, having had under Consideration A.B. 200 herewith return the same with a substitute Bill therefor and would respectfully recommend that the Substitute do pass

HB 285. The Substitute being HB No 285. An act to
sub for 230 provide for the Support and Maintainance
of the "Arkansas Institute for the Education
of the blind" And for other purposes
Which was read the first time

Mr Bruce from the Committee on Immigra-
tion reports as follows.

Mr Speaker

HB 324 Your Committee upon Immigration to
whom was referred the bill entitled a
State Board of Health Act, beg leave
to submit the following report, that the
bill do pass with the following Amendment
"That this act take effect and be in force
from and after its passage"
The Amendment was read the first time

Also the following

Mr Speaker

HB 191 Your Committee on Immigration
to whom was referred bill 191. a bill
for act to be entitled an act to amend
an act, Entitled "An act Securing liens
to Mechanics and Laborers and others by
leave to speak the same back recom-
mending passage

Mr Shipp from the Committee on Agriculture
reports as follows

Mr Speaker

HB 81. Your Committee on Agriculture Have
had under consideration HB No 81
An act more fully to provide for arrest
ing Estrays and to account for the
expenses and trouble thereon recom-
mend its rejection

Also the following

Your Committee on
Agriculture to whom was referred HB
HB 128 No 128. have considered the same and think
the present law sufficient and therefore
recommend its rejection

Also the following

Mr Speaker

HB 212 — The Committee on Agriculture have had under Consideration HB No 212 for the protection of Inclosures from Trespass and find it almost identical with the Present Law and recommend its rejection

Also the following

HB 236 — The Committee on Agriculture to whom was referred HB No 236 too short to have a Name = and have instructed me to recommend its rejection

Also the following

HB 130 — Your Committee on Agriculture have had HB No 130 to repeal Sec 4 of an act to regulate the Labor System and have instructed me to report said recommend its rejection; as the Change would be so slight that it would not materially alter the Law as it now stands

Mr Conway from the Judiciary Committee reports as follows

HB 170 — The Majority of the Judiciary Committee have had under Consideration HB No 170 and do hereby return the same back with the recommendation that the same do not pass

Mr Brian presented the following Minority report

We the minority of the Committee on Judiciary would respectfully report that we have had under Consideration HB 170 providing for the repeal of Sec 1512, 1513, 1514 and 1515 of Gants Digest We are have been unable to arrive at the conclusion of the Majority of the Committee. The Sections proposed to be repealed by this bill are, we have always been in the opinion of your Committee Provisions useless We & Injurious to the State and are therefore respectfully recommend that the bill do pass

Mr Babo from the Committee on Agriculture reports as follows

We the undersigned your Committee on Agriculture respectfully report that we have had under Consideration H.B. # 22 and report the same back to the House with the following amendment

H.B. # 22

That the words "public school fund" in sect 8. be stricken out & the words "County Treasurer" be inserted in lieu thereof

And recommend that said bill when so amended do pass

The amendments were read the first time

Mr Cain of Washington from the Committee on Ways and Means reports as follows.

"The Committee on Ways and Means to whom was referred H.B. # 209. An act to repeal all laws now in force under which bonds or the coupons thereof are made receivable for the lands of this State ask leave to report that they have carefully examined the same and instructed me to return the bill with a recommendation that it do pass

H.B. # 209

Also the following

The Committee on Ways and Means to whom was referred H.B. # 199. An act to amend certain sections in Yantis digest beg leave to report that they have considered the same and instructed me to return the bill with a recommendation that it do pass

H.B. # 199

Also the following

The Committee on Ways and Means to whom was referred H.B. # 71 A bill to amend sections 1296 and 1297. of the Revised Statutes of Montana beg leave to report that the same has been considered and we as your Committee regards the bill invalid, raising legal questions, declines taking action and instructed me to return the bill to the House with a recommendation that it be rejected

H.B. # 71

to the Committee on Judiciary

Also the following

HB# 152 Your Committee on Ways and Means to whom was referred H.B. No 152 beg leave to report that they have considered the same and instruct me to return the Bill to the House with a recommendation that it do pass

Mr Davidson of Sharp from the Committee on County and Probate Courts reports as follows

Mr Speaker

HB# 209 Your Committee on County and Probate Courts have had under Consideration H B No 209. A bill for an act to prohibit the sale and giving away of ardent spirits within three miles of the Evening Shade College and have directed me to report the same back to the House with a recommendation that it do pass

Also the following

HB# 94 Your Committee on County and Probate Courts have had under Consideration H B No 94 A bill to stop interest on Claims against Estate of deceased persons and have directed me to report the same back recommending that the same do pass

Also the following

HB# 75 Your Committee on County and Probate Courts have had under Consideration HB# 75. A bill to provide for the taking of the photographs or miniatures of Escaped fugitives, and have directed me to report it back to the House with the recommendation that it do not pass

Also the following

HB# 202 The Committee on County and Probate Courts have had under Consideration HB 202 A bill to be entitled An act

to amend Section 1. of an act establishing a Court of Common Pleas in the Counties therein named and to establish a Court of Common Pleas in Lowndes County, and have directed me to report the same back with a substitute therefor & recommend the passage of the Substitute

H.B. 286 The Substitute being H.B. No 286 A bill to be entitled an act to amend Section one of an act Establishing a Court of Com. Pleas in certain Counties therein named. Approved December 14. 1895 and also an act approved Feby 21st 1877 Also to Establish a Court of Common Pleas in Lowndes County"

Which was read the first time

Also the following

H.B. 85 Your Committee to whom was referred H.B. No 85. A bill Entitled an act to repeal Sec. 75. of an act Entitled "An act fixing the Regular Terms for holding the County Courts of this State and for other purposes" beg leave to report that that they have had the same under consideration and recommend its passage

Mr Bass from the same Committee reported as follows

H.B. 148 Your Committee to whom was referred H.B No 148 have had the same under consideration and report the same back with the recommendation that said Bill be amended by adding after the last word in the second Section

"And no person shall be compelled to work more than five days in any one year. Provided, he puts in full time and works to the satisfaction of the overseer." and when so amended that the Bill do pass

The Amendment was read the first time

Mr Haw from the Committee on Judiciary reports as

follows

Mr Speaker

The Judiciary Committee

HB #162 to whom was referred H.B. No 162 beg leave to submit the following report. That they have carefully considered the Bill in all its parts and report back the recommendation that it do not pass

Also the following

HB #57 The Committee on Judiciary to whom was referred H.B #57 beg leave to submit the following report. That they have considered the Bill. and recommend its passage

Also the following

HB #44 The Judiciary Committee to whom was referred H.B No 44 beg leave to submit the following report: That they have fully considered the bill and of its parts and deem it inexpedient to pass the same. That for they recommend that the same do not pass

The same reports from the Committee on Internal Improvements as follows

HB #95 Your Committee to whom was referred H.B #95. would respectfully say. that they have fully considered the said and now herewith recommend that it do pass.

Also the following from the same Committee.

HB #168 The Committee on Internal Improvements to whom was referred H.B. No 168 beg leave to submit the following report: That they have considered the bill in all its parts and recommend its passage

Mr Theiss of Cleveland reports from the Committee on Judiciary as follows.

HB #117 The Judiciary Committee to whom was referred H.B No 117. have had the same

under Consideration and have instructed me to report the same back with a recommendation that it do pass

Mr Fraser offered a minority report from said Committee as follows.

They have to submit a minority report on H.B. No 117. have been unable to agree with the majority of the Committee for the following reasons: viz:

The bill if passed would put it within the power of the several County Courts of the State to erect in each County an House of Correction similar in all its workings and bearings to the present management of the State Penitentiary, thereby creating several additional nuisances and spreading convict labor from one end of the State to the other, as well as compelling work convict labor. The number of escapes, both before and after conviction in the minded opinion of the minority would be increased tenfold. For these reasons the minority respectfully recommend that the bill do not pass

Mr Coody from the Committee on Circuit and Justices Courts made the following Report

Mr Speaker

H.B. No 64 Your Committee to whom was referred H.B. No 64 An act to repeal Sections 626 and 627 of Gantts Digest approved January 23rd 1875. and to revive and amend said Sections of Gantts Digest 626 & 627 which was read the first time

H.B. No 287 for H.B. No 64

Also the following

H.B. No 202 Your Committee to whom was referred H.B. No 202 would respectfully report the same back with a substitute which recommend do pass

The Substitute being
H.B. 288 H.B No 288 "An act to depine Misdimeanors
In 6. Jest. 202 and for other purposes
which was read the first time

Mr Simpkins from the same Committee reports
as follows

Your Committee to whom was
H.B. 140 referred H.B. 140 An act to include Probate Judiciary
Committee for H.B. No 8. beg leave to make
a majority report and recommend that
said bill do pass

Also the following from same Committee
A majority of your Committee to whom
H.B No 54 was referred H.B. No 54 would respectfully
report the same back with recommenda-
tion that the same do not pass

Also the following
Your Committee to whom
H.B. 58 was referred H.B. No 58 would report
the same back with the following Amend-
ment inserted after the words "County
of this State" to wit. "either for trial or Commit-
ment" and recommend that the same
pass as amended
The amendment was read the first time

Also the following
Your Committee to whom
H.B No. 66 was referred H.B. No 66 respectfully report
the same back with the following amendment
inserted after the words "Action thereof" in
line 24 to wit "by selling, using or wasting
the same" and recommend that the same as
Amended do pass
The amendment was read the first time

Also the following
62, 102, 107, 120 Your Committee to whom
165, 187, 239, 241 was referred H. bills Nos 62, 102, 107, 120, 165,
252, 253, 254, 258 187, 239, 241, 252, 253, 254, 258, 262, 276 & 279.
262, 276, & 279

S.B. 329 upon S.B. No 29. would respectfully report
thereon back with a recommendation
that they do pass.

Mr Richardson a minority of said Committee
reported upon S.B. No 54 as follows
The undersigned a minority
of the Committee on Circuit and Justices
H.B. No 54 Courts to whom was referred S.B. No 54
to amend Sec 5381. of Gantts Dig ect
beg leave to make a minority report therein
and recommend that said bill do pass

Mr Cordy from Same Committee reports
as follows
H.B. 90, 97, 104, 110, 112, 186, 198, 201, 216, 227, 287, 264, 281, 80, 84, & 92 Your Committee on Circuit and Justices Courts to whom was referred H.B. Nos. 90, 97, 104, 110, 112, 186, 198, 201, 216, 227, 287, 264, 281, 80, 84, & 92 would respectfully report the same back with a recommendation that the Senate do not pass

Mr Archy from the Committee on Ways and Means made the following report

Mr Speaker

The Committee on Ways and Means to whom was referred a resolution requiring information as to what the State indebtedness has been increased since the passage of an act entitled "An act to provide Means to Support the State Government and retire the outstanding Warrants and State Scrip approved Decbr 26th 1874" beg leave to submit the annexed Statement of the State Treasurer.

Your Committee would further state that all the bonds of the State that have been hypothecated have been redeemed except $40,000.00 now in hypothecation, on which the rate of the State is not paying

The Treasurer's Statement is as follows

State Treasurers office
Feby 10th 1879

Statement Showing the Amount of Outstanding Six per cent Funding Bonds issued under Act of December 26th 1874 and for what purpose the same was paid

By 24 1/20 U.S. Bonds belonging to Permanent School Fund, Sold for net $40,200 00 in Currency and reinvested in 6% Funding Bonds of said State, the interest thereon $4020 00 Currency is appropriated to the Common School Fund	67,000	00
By amount of Stock Scrip belonging to Permanent School Fund, invested in 6% Funding Bonds the interest thereon $4440 00 is appropriated to the Common School Fund	74,000	00
By amount of 6% Funding Bonds issued to Arkansas Industrial University, under act of General Assembly 1875.	16,000	00
By amount of six per cent Funding Bonds paid Del Ward for buildings & Extending Wings of the Penitentiary under act of General Assembly 1875.	1,16,000	00
By amount of 6% Funding Bonds given for Stock Scrip	1,36,000	00
By three (3) Six per cent Funding Bonds paid for 85 ¢ on the Dollar $2550 00 Currency	3000	00
By Total Amounts of Interest paid on Six per cent Funding Bonds to date	84,070	00
By amt of State Scrip & Auditor Warrants outstanding Dec 26th 1874 as a floating debt	1,700,000	00
By error in Computing outstanding State Scrip (floating debt) by adding Original & Copy of Register of Scrip $31,118.06	1,068881	94
By amt of State Scrip redeemed by Sinking of 6% Funding Bonds $210,000 00 Leaving balance outstanding	868,881	94
By Amt Cancelled & burned $81,152 47/100 leaving balance now outstanding	477,729	47
Since the increase of the Bonded Debt of the State amounts to 135 6% Funding Bonds The interest due annually on the Funding Bonds issued under act 1875 has been paid promptly & Amounts to in U.S. Currency	135.000	00
	870,70	00

J. J. Churchill
State Treasurer

Mr Archer from the Committee on Cities and Towns reports as follows.

Your Committee on Cities and Towns would report that they have had under Consideration a petition from citizens of Arkansas City asking that the Town boundaries may be differently fixed as report hereon with a Bill to be entitled

H.B. 289 "H B No 289 An act to define the boundary lines of Arkansas City" and recommend that the same pass

The bill H B 289 was read the first time

Also the following

Your Committee on Cities and Towns to whom was referred a Memorial from certain citizens from Bloomington would report that they have had the same under consideration and herewith report the same back and recommend that the prayer of the petition be not granted and would refer the petitioners to section 85 in an act entitled an act for the government of Municipal Incorporations approved March 9th 1875

Also the following

H.B. 172 Your Committee on Cities and Towns would report that they have had under Consideration H.B. No. 172 and herewith report the same back and recommend its passage

Also the following bill

H.B. 129 H B No 129 recommending an amendment by striking out the words "give away" and as amended recommend its passage

The amendment was read the first time

H.B. 190 Also H.B. No 190 recommending passage

Mr Lee of Howard for Mr Dickinson from the Committee on the Judiciary to the extent reported the following

H.B. 65 Mr Speaker. Your Committee to whom was referred H B No 65 - Entitled "An act to authorize

defendants to be witnesses in Criminal Cases respectfully return the same with the accompanying recommendation that it pass

Also the following

H.B. 84 Your Committee to whom was referred H.B. 84 entitled "An act to amend Section 1066 of Gantts Digest", ask to report the same back; with a recommendation that it do not pass

H.B. 98 Mr. Harrison from Revenue Committee reported H.B. No 98 with a recommendation that it do not pass

Mr Irwin of Washington from the Committee on Ways and Means made the following report

H.B. 271 The Committee on Ways and Means to whom was referred H.B. No 271 a bill to be Entitled An act to amend 2749 of Gantts Digest beg leave to report that they have considered the same and recommend that the bill to the House with the following amendment to insert the word "absolutely" between the words "deemed" and "necessary" in the fourteenth line of Section One in said Bill that as amended your Committee would recommend that the Bill do pass

H.B. 270 Also H.B. No 270 A bill to be entitled An act for the relief of the Estate of Alfred A. Bonyton deceased late Sheriff of Sebastian County Ark, recommending that it do not pass

H.B. 240 Mr Miller of Clark from the Committee on State Lands introduced H.B. No 240 recommending that it pass

The bill was read the first time

H.B. 73 Mr McConnell from the Committee on Enrolled Bills reported H.B. 73 and recommend passage

H.J.R. 5 H.J.R. 16 Mr McCracken from the Committee on Memorials reported H.J.M. No 5, and H.J.R. No 16 recommending passage of each memorial and joint resolution

HJM#4
HJM#18

Also S.J.M. No 4. and
S.J.M. No 18 recommending that both Mrs,
Shorrick do pass

Mr Moore from the Committee on the Judiciary reports as follows.

Mr Speaker

The Committee on the Judiciary
HB#31 have had under consideration H.B. No 31. A bill for an act to be entitled an act to amend Section 1944 and to repeal Sections 2015, 2016 and 2017, of Gantts Digest, and have directed me to report the same back to the House with out amendment and with the Statement, that said bill, is not, in the opinion of the Committee unconstitutional.

Also the following

The Committee on Judiciary
HB#32 have had under consideration H.B. No 32 A bill for an act to be entitled "An act to amend Sections 3857 of an act entitled "An act to establish Fees" approved Feby 26th 1875 and have directed me to report said bill back to the House without amendment and with the Statement that the bill is not in the opinion of the Committee unconstitutional

Also the following

The Committee on the Judiciary
HB#52 Dub#271 have had under consideration H.B. No 52 a bill to be entitled an act to amend Sec 2696 of Gantts Digest and to repeal all acts in conflict therewith" and have directed me to report the same back to the House, to gether with a substitute therefor, with the recommendation that the Substitute pass

The Substitute being H.B. No 291. A Bill to be
HB#291 for HB#52 Entitled an act to amend Section 2696 of Gantts Digest and to repeal all acts in Conflict with this act"

Which was read the first time

Also the following

The Committee on Judiciary have
HB#53 had under consideration H.B. No 53

entitled a bill for an act to be entitled An act to amend an act for the incorporation, organization and government of Municipal Corporations approved March 9th 1875 and have directed me to report the same back to the House, with the recommendation that Section 4. of said act be stricken out, and that the following amendment be adopted, Viz:

1st Amendment.

Sec. . The Recorder of the Corporation in case of the absence or sickness of the Mayor or in case of the disqualification of the Mayor shall have power and authority to hold a Mayors Court, and in such Case, shall have all the power and jurisdiction of a Justice of the Peace in all criminal ~~Cases~~ matters arising under the laws of this State, or under the by laws, ordinances and resolutions of such Corporation the same as is now, or may hereafter be, conferred by law upon the Mayor

2d Amendment

Sec. Whenever the Mayor and Recorder of Cities of the Second Class, or either of them shall be absent from any meeting of the Council the Council shall have power, to supply the place of either or both, as the case may be from their own number to perform the duties of Mayor or Recorder respectively, for the time being.

And the Committee recommend that said bill, together with the Amendments proposed do pass.

The amendments were read a third time

Mr Barnett from the Committee on Railroads reports as follows

H.B. 99 Your Committee to whom was referred H.B. 99 have had the same under Consideration and hereby return same with the recommendation that it do pass

Also the following

H.B. 248 Your Committee to whom was referred H.B. 248 have had the same under Consideration and hereby return same with the recommendation that it do not pass

Mr Moore from the Committee on Retrenchment reports as follows

H.B. #24. 1865 The Committee on Retrenchment to whom was referred H Bills Nos 172 and 185 have carefully examined the same and would respectfully suggest and recommend that they do pass

H. Bills #83, 124 & 189 Also H Bills Nos. 83, 124 & 189 and recommend that they do not pass.

H.B. #219 Mr Thomas from the Committee on Elections reports H B No 219. recommending that the same pass

Mr Minor from the Committee on the Judiciary made the following report -

H.B. #14 The Committee on Judiciary have under consideration H B #14 a bill for an act in relation to the Compensation of Special Judges of the Circuit Courts and the substitute proposed by the Committee on Circuit and Probate Courts and direct me to report the same back to the House with an accompanying substitute, with the recommendation that the Substitute pass

H.B. #292 In 6th Vol 14 The Substitute being H.B. #292 An act entitled an act to amend an act entitled an act to regulate the salaries of Special Judges, approved Feby 26th 1865. Which was read the first time

H.B. #270 On Motion of Mr Pinnell H B No 270 was recommitted to the Committee on Ways and Means

H.B. #295 On motion of Mr Hippin the rules were suspended and leave granted him to introduce H.B. #295 A bill to be entitled "an act to make receivable all Auditors Warrants and certificates issued to pay the expenses of the present General assembly receivable in payment of the tax imposed for the sinking fund under existing laws and for other purposes" Which was read the first time

By unanimous consent leave was granted for

HB# 294 Mr. Warren of Columbia to introduce HB# 294
A bill to be entitled An act to amend sections
3670 and 3671 of Gantt's Digest
which was read the first time

Mr Burke from the Special Committee appointed
to visit the Arkansas Industrial University
submitted the following report

Your Committee appointed to visit the State
Industrial University at Fayetteville in pursuance
of Joint Resolution No beg leave to submit
the following report.

We would say that after
a passage over the mountains of the Great North-
western Country made famous in the history of
the State, by their great altitude and consequent
healthfulness and picturesque grandeur We
made the place of our destination and soon
as convenience allowed presented our credentials
making known through formal means the object
of our visit. The President of the Institution Genl
D.H. Hill received us in a manner in keeping
with the high trust imposed by the Assembly
and placed the services of himself and all
subordinates and appurtenances of the University
at our disposal, that time might be a thorough
examination and investigation into all its parts
and effects. The time of two days was consumed
by your Committee in pursuit of the programme
thus laid down. And it may be said that no fea-
ture of the slightest essential character was
overlooked or hastily investigated. We feel
warranted in thus stating not for any special
ability upon our part alone, but for the reason
of the great importance of the matter and a due
appreciation of the same by your Committee
and the fact that the facilities afforded by the
President and the Faculty were all that could
have been desired. The Institution has to be
seen to be appreciated. We feel that any other
expression would fail to indicate the real
situation. Situated upon a beautiful and
Elevated site, the proper distance from the busi-
ness centre of the Northwestern Capitol to produce
that quiet so essential for purposes of study
and thought, its massive and grand appearance
combined with the broad and deep means for

education presented within, must strike every true Arkansan as a glorious cause for rejoicing and self-congratulation. The conduct of the Institution in general can not be too highly commended, not only in point of the excellence of theory of the course of study and practice, which are happily combined but as well from a moral point of view, which latter too, often in our front seats of learning fail to comply with grateful deportment and clouds and obscures sometimes wholly breaking down magnificent effects of the more intellectual features.

We would say that to the President D.N. Hull. should be given great praise and credit for this efficient condition in the most essential parts of true education. It may be said with truth, that in no case does the name of this great and good man fail to appear. Not only is this means for English education most ample, and form the leading department of practical scholastic advantages, but the classics form a prominent feature of the whole course. The languages Greek, French, Latin and German; the Sciences, Engineering, Chemistry, Geology; the Arts, Music, Ornamental and vocal in their most excellent parts for Male and female. Drawing, as taken up and taught there a state not surpassed by any older and more advanced States; perhaps, few in advance of the best faculties of like character in our Southern institutions. Three things were impressed upon your Committee not by a rapid, a hypothetical investigation, but a systematic and slow, as ascertainment of the facts: Not so much impelled by local pride as by a Comprehensive view of the matter, in a manner that carried out our positions as proper officers of State accredited to immediate Constituencies and to the Commonwealth at large.

The attendance has been greatly augmented within the past year and there are a list of three hundred and seventy two Matriculates from the various sections of the State.

We believe that the increase the coming year must be far in advance of any previous period of the same length. Considering the recent additions that we have previously alluded

to and the energetic efforts put forth by the President to impress upon the minds of our people the grand advantages that they possess at home. This of course is conditioned upon a sufficient appropriation by this body to keep up and advance the work so well begun. Owing to the scarcity of Means the Institution has not had those advantages accorded a county in fact, and we found Professors abundantly capacitated for the deepest duties of their offices engaged in the conduct of the preparatory and other departments entirely foreign to their legitimate, functions — arrangements that should not be vacated for an instant. To remedy these defects, we would suggest, the removal of the preparatory grades from the advanced department into a separate and distinct School to be placed under the management of Prof. O. F. Russell, a gentleman of rare ability as an Educator, who with the result of full professorial and numerical strength of the faculty to be allowed a sufficiency of the necessary aid to assist him in performing his work! Such step would not only be Economical in fact, but eminently wise from any other Standpoint of good Sense and propriety. We would recommend that the time for vacation be altered and declared for the entire Season, instead of the Summer as at present exists. The reasons for this are many and obvious, leading which is the fact that a change in the hot months from the most extreme portion of the State cannot be productive of that good health which would follow a translation of any other period of the year. We in, decade for the Winter Period, because of its excellent fitness in this particular which must appear clear to this body. The building is yet incomplete and must receive due attention in the respect to render the proper Service and to be freed from the Encroachments of the Weather which will cause no inconsiderable damage and destruction if left to pursue its indiscriminate course.
An appropriation is needed for carrying

the Philosophical and Chemical Departments to a practical Standard — Mere theory in studies is conceive of no possible good. The Library is also deficient and we could urge upon the people of the State to contribute materey fair material aid. They can dispense with further direct benefit, to an indivi. vidual except in this portion of the Institution. The agricultural Department is not as it should be for want of the appliances necessary. The grounds are used to the best advantage under the circumstances, being 20 acres with clover, but this does not comply with the requirements of the grant upon the part of the General Government which stipulates for an Industrial University. In view of this besides the means that should be afforded students in poor circumstances and the fact that we are largely indebted to the United States for aid to the amount of $150,000 to assist us in constructing the building we should not loose sight of the necessity of raising this department from the mire into which it has fallen.

The Military Arm has also gone down and this also we are commanded to keep up by the provisions of the grant. Let a requisition be made for the appointment of a regular Army officer to assume charge of this branch, that the grant may be complied with, and that the State may reap of the fruits that accrue from the education of a Soldier — imparts by Scholarly ability, gentlemanly bearing and practical experience.

To support the Institution a single County, Washington, and a second class City of less than 2500 inhabitants, Fayetteville pay annually the sum of $10,400 and yet this County and this City are entitled to no more consideration than any other County or City in the State. In view of this amount we respect an appropriation for less than would be demanded otherwise by the most

reasonable one, and indicate $25,000 as a
fast sum to be appropriated for the coming
two years.

Surely the people of the State of
Arkansas are interested sufficiently in
Education and its consequences to ex-
tend this Comparatively small amount
provided a minimum and not fulness,
that they have made a golden investment

John R Thornton
A. V. Ferguson
D. D. Stubbs
J. C. Tucker
W. R. Brooks
} Committee

Mr Bray was granted leave to present
a petition which was on his motion refer-
red to the Special Committee on Temperance

On leave granted. Mr Davidson of Sharp
moved a suspension of the rules
and upon the rules being suspended he
called up H.B No 207 which on his
motion was read a second time
and upon a further suspension of the
rules the bill was read a third time.

The question then being
H.B 207 Shall the bill (H.B #207) pass.
The clerk called the roll

The following members
voted in the affirmative Mess. Archer,
Askew, Barnett, Barry, Bilheimer of Boone,
Bolin, Bray, Brewer, Brown of Lee, Brown
of White, Brinkley, Burnett, Carter, Cinch
Conway, Coody, Crutchfield, Davidson of
Sharp, Davidson of Izard, Dorsey, Dudley
Felker, Griffin, Hagen, Hurbert, Gilbert
Haney, Hare, Harrison, Holden, Hudson,
Jamison, Jordan, Joyner, Kent, Kemp,
King, Lee of Howard, Lee of Norton,
Londermilk Love, Martin, McConnell,
McCracken, McMurtrey, Miller of Clark,
Minor, Moore, Morris of Carroll, Morris
of Stone, Murphy, Orrick, Rainey, Reid of,
Priddy, Quarles, Richardson, Rodgers, Sim-
mons, Stubbs, Tate, Taylor, Thomas, Turner,

Wards of Columbia, Warren, Washington, Williams, Wright and McKenzie 76

In the negative Mr Burns 1.

In the affirmative 70
In the negative ——
Absent and not voting 21

So the bill (HB #207) passed

Upon a suspension of the rules there was granted Mr Murphy who offered the following Resolution

Whereas; This House some days ago directed the Judiciary Committee to report upon the contested cases for seats upon this floor on petitions and protests from Lucki County And

Whereas; Said Judiciary Committee has up to this time failed to receive the notice of said contest and the evidence taken in open Justice court as presented by law And Whereas; This session is rapidly drawing to a close without any decision being arrived at in these contested cases And

Whereas; The right of the people to select and be represented by those to whom they have delegated this duty by their votes as expressed at the polls And

Whereas; This is the most sacred right of American citizenship And Whereas; This House is by law Constituted the Judge of its own members Therefor be it

Resolved; That the persons or persons claiming the seats in these cases in their petitions be and are hereby required to place the same in possession of this House And further; That this House proceed to act upon and decide these cases without further delay and be made the special order Wednesday 10. Clock 16.

Mr Lee of Howard moved to table the Resolution

Upon which the ayes and noes were demanded, and sustained The Clerk called the Roll

The following members voted in the affirmative Messrs Brewer, Burbush, Lee of Howard, Taylor and Thomas 5.

In the negative Messrs Archer, Atkins, Barnes Barry, Black of Boone, Bobo, Bray, Brown of Lee, Brown of White, Bumpass, Burke, Burns, Cantis, Church, Coady, Creekmore, Davidson of Hempstead, Dunlap of Izard, Garrison, Hamby, Felton, Griffin, Groce, Gillam, Handy, Hine, Holden, Hudson, Jamieson, Jordan, Joyner, Kirk, Kemp, King, Lee of Newton, Lorenzetto, Love, Marshall, McCorkle, McCracken, McDermott, Miller of Clark, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Green, Payne, Pindall, Quarles, Rodgers, Simmons, Stubbs, Tate, Thorn, Turner of Columbia, Wann, Washburn, Williams, Wright and Mr Speaker 62

So the motion to table was lost

Mr McComas offers a substitute as follows

Resolved: That the Chairman of the Committee on Elections be required to turn over to the Judiciary Committee all the papers in his possession relating to the Contested Election Cases now pending before this House and that said Committee be requested to report as soon as practicable

Mr Tate moves the adoption of the substitute upon which motion moves the previous question which being sustained

The main question being then Shall the substitute be adopted

It was adopted

By unanimous Consent Mr Pinder was granted leave to introduce H.B. No 296 A Bill for an act to be entitled an act to render effectual the Provision of the Constitution against numerous Contracts"

Which was read the first time and Referred to the Committee on the Judiciary

Mr Lee of Howard from the Special Committee Composed of Members from the 8th Judicial Circuit as granted leave reported as follows

Mr Speaker

Your Committee to whom was referred H.B. No 70 beg leave to report back to the House a Substitute for the same and recommend that it do pass

The Substitute being H.B # 297 An act to prescribe the time for holding the Circuit Courts in the Eighth Judicial Circuit

Which was read the first time Upon Motion the rules were suspended and bill read a second time and On further Motion of Mr Mullen of Cecil the same ordered Engrossed and made Special order for Monday next at 10 o'clock A.M.

On Motion the House at 4 P.M. Clock adjourned

John G. Holland
Clerk

J. P. Bearden
Speaker

House of Representatives.
Little Rock, Arkansas.
Wednesday, February 19th 1879.

The House met pursuant to adjournment, at 9 Oclock, A.M.

The Clerk called the roll, when the following members answered to their names. Mssrs. Archer, Askew, Barry, Black of Boone, Blackwood Bobo, Braly, Brewer, Britt, Brown of White, Brown of Lee, Bumpass, Burke, Burns, Carter, Cluck Conway, Coody, Creekmore, Davidson of Sharp, Davidson of Izard, Dawson, Denby, Fellner, Fishback, Gippin, Fraser, Fulbush, Gillam, Greening, Hardy, Hare, Harrison, Holder, Holmes Howdon, Jamison, Jordan, Joyner, Keith, Kemp King, Lee of Howard, Lee of Newton, Lowdermilk Lowe, Mack, Martin, McConnell, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Minor Moore, Morris of Carroll, Morris of Stone, Murphy Owen, Payne, Pindall, Priddy, Quarles, Riddick Richardson, Roden, Simmons, Swimatt, Stubbs Tate, Taylor, Thomas, Turner, Walker of Columbia Walker of Washington, Warner, Washburn, Williams Wright and Mr Speaker.

A quorum present.

Prayer by Representative J. M. King.

On motion of Mr Walker of Washington, the reading of yesterdays Journal of Proceedings, was dispensed with.

On motion of Mr Hardy, the rules were suspended, and leave granted him to make a report, from the Committee on Judiciary.

Whereupon he reported as follows:

Mr Speaker:

H.B. 175. Your Committee on Judiciary to whom was refered H.B. # 175. entitled "an act to regulate voting" have had the same under consideration and instructed me to report, that by the scope and tenor of the bill, it is proposed to abridge the right of suffrage, to the extent of making the right dependant upon the payment of the capitation of poll tax, imposed by law.

Your Committee are unanimously of the opinion, that the Legislative Department cannot constitutionally abridge the right, on the ground

and for the cause proposed. the 1st and 2nd sects. of the 3rd artiele of the Constitutim. ordaineth what qualificatims voters shall possess and under what circumstances and state of facts. the elective franchise shall be denied, or taken from them. On reference to these sections. of this article. it will be seen the non-payment of the capitatim of poll tax. is not mentioned. The law on the subject. is beyond all questim. or doubt. The rule settled is. when a Constitutim defines the circumstances under which a right may be exercised. the specification is an implied prohibition against legislative interference. to add to the condition. So that when a Constitutim defines the qualificatims of an officer or voter it is not in the power of the Legislature to change. or to superadd to them. (See Cooley. on Constitutional Limitatims. 78.) (24th Ark. 161.) 39th Missouri. Reports 485) (5th Wis. Rep. 308) and numerous other cases cited in note (five. Cooley. Page 78) as above.

In consideratim of the foregoing. I am instructed by your Committee to report the bill back with the recommendatim. that it do not pass.

H.B. 119 Mr Mc Auley. also reported H.B. # 119. without any recommendatim.

H.B. 188 Also. H.B. # 188. with the following accompanying report:

Mr Speaker;

The Judiciary Committee. to whom was referred. H.B. # 188. entitled "an act to incorporate the Arkansas Society. for the prevention of cruelty to animals" have had the same under consideratim. and instructed me to report. that they are of opinim. that there is no special legislatim necessary. to confer on the parties. embraced by this bill the powers and franchises therein prescribed. believing as they do. that the general incorporatim acts will afford them all that they propose by this bill. provided they will resort to the provisions and requirements thereof. I am therefore instructed by said Committee to report said Committee back to the House. with the recommendatim that it lie on the table.

whom leave granted and suspension of rules
has thereupon
Mr Walker of Columbia was al-
HB#294 lowed to call up HB# 294 and on his motion
the bill was read a second time

Mr Walker moved an amendment to be print,
ed as Sec 5. and is as follows
Sec 5. Be it further enacted
That Section Three Thousand Six Hundred and Seventy
three be amended to read as follows
The commissioners shall also select from the
Citizens of the County such Number of Electors
as the Court shall direct Not less than sixty,
possessing the qualifications prescribed in
Section 3669 to serve as petit Jurors at the
next term of the Court and shall draw and
make a list of twelve as prescribed in Section
3670 which list shall be endorsed "List of
petit Jurors
The amendment was read the first time
The rules were again suspended and the
Amendment read a second time and
adopted and the bill
Referred to the Committee on Circuit & Justices
Courts

By unanimous consent
Mr Wright was granted
leave to call up HB No 190 and on Motion
HB# 190 HB# 190 was read a second time

and on further suspension of the rules the
bill was read a third time
The question then being
Shall the bill (HB# 190) pass
The Clerk called the Roll
The following members
voted in the affirmative Messrs Archer, Asker,
Barry, Black of Bowie, Blackwood, Bobo
Braley, Brewer, Britt, Brown of Lee, Brown of
Mitt, Brumbaugh, Burke, Cheek, Conway,
Coody, Creekmore, Davidson of Henry, Davidson
of Gaines, Dawson, Dunlap, Feltner, Fishback,
Flippin, Fraser, Greening, Hardy, Hare, Harrison
Holden, Holmes, Hudson, Jamison, Jordan, Joyner
Keith, Kemp, King, Lee of Howard, Lee of Hunter,
Ferdennie, Love, Mack, Martin, McConnell,

McCrackin, McMurtrey, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Owen, Payne, Rice of Pulaski, Ruddy, Quarles, Riddick, Richardson, Simmons, Sinnett, Stubbs, Tate, Taylor, Thomas, Walker of Columbia, Waller of Washington, Wilson, Wright and Mr Speaker 75.

In the Negative Mr Burris 1.

In the affirmative 75
In the Negative 1
Absent and Not voting 16
92

So the bill (HB No 190) passed

Mr Gunter arrears to his name
Mr Bray from the Committee on Engrossed Bills reported H. bills Nos 60 and 87 correctly engrossed

HB No 60. being Special Order for this day
HB 60 Mr Bobo moved that HB 60 be read a third time which was agreed to
The bill was then read a third time
The question then being Shall the bill pass
The Clerk Called the roll
The following members voted in the affirmative Miss Acker, Austin, Berry, Black of Boone, Blackwood, Bobo, Brady, Brewer, Britt, Brown of Lee, Brown of White, Bumpass, Burris, Curtis, Church, Conway, Cosby, Crenshaw, Davidson of Sharp, Davidson of Izard, Harrison, Henley, Fellers, Fishback, Phillips, Fraser, Furbush, Gillam, Greening, Hanley, Hare, Harrison, Haslam, Holmes, Hudson, Johnson, Jordan, Joyner, Kemp, King, Lesley, Norman, Lee of Morton, Londermilk, Love, Mack, Martin, McConnell, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Carroll, Morris of Stone, Owen, Kendall, Ruddy, Quarles, Riddick, Richardson, Simmons, Sinnett, Stubbs, Tate, Taylor, Walker of Columbia, Waller of Washington, Wilson, Washburn, Wright and Mr Speaker 75

Miss Acker, Burris, Kent, Payne, Thomas

Jones and Williams N. voted in the Negative

So the affirmative	7 2
In the Negative	7
Absent and not voting	16
	9 2

So the bill (HB #60) passed

A Message was announced from the Senate by Mr Dunbar the Assistant Secretary of the Senate who handed in the following

Senate Chamber Jan 19. 1879

Mr Speaker

I am instructed by the Senate to inform your Honorable body of the pass. age of HB #83 A bill to be entitled An act to establish a new County in the Counties of Phillips, Jefferson and Chicot in the State of Arkansas and therewith respectfully transmit the same for your favorable Consideration

HB #83

Lou I. Kretschmar, Secretary

On motion of Mr Williams leave of absence was granted Mr Bradley until Tuesday next from to-morrow morning

Mr Bradley answered to his name

Mr Griffin was granted leave to call up HB #96 and made a suspension of the rules the bill was read a second time and

HB #93

On motion of Mr Brady the Bill was referred to the Committee on the Judiciary

HJM No #6,708

Mr McCracken from the Committee on Memorials reported HJM No 6,708 recommending passage

On Leave granted Mr Miller moved a suspension of the rules that he might call up HB #85 which was agreed to

HB #85

Act On Motion the Bill ~~was Ordered to~~ ~~Second time~~ 200 Copies ordered printed and made Special Order for Monday next at 11. Oclock A.M.

HB# 139 On Motion of Mr Coody the rules were Suspended and HB No 139 Taken up and read a second time

HB# 11 The hour of 10. Oclock A.M. having arrived H.B. No 11 being Special order for this hour

Mr Conway moved that bill be read a third time Lost

On Motion of Mr Mack HB# 11 together with H.B No 109 were both referred back to the Committee on Circuit & Justices Courts

HB# 11 H.B No 50 being next Special order Mr Archer moved the following Amendment

"Provided, that the lands forfeited in Crawford County for the non payment of taxes prior to the year 1874 shall be and are hereby placed back into the hands of the Land Commissioner of this State, and be liable to redemption, or donation for next Eight (8) months after the passage of this Act, and all lands as aforesaid, that are not taken up by redemption or donation shall go into the hands of said Corporation as provided in this act.

Mr Dickinson objected to his name Mr Franklin of Washington moved to reject the amendment

Upon which motion the Ayes and Noes were demanded and ordered

The Clerk called the Roll,

The following members rose in the affirmative Mess Askew, Barnett, Bartlett, Berry, Black of Boone, Blackwood, Bobo, Brady, Britt, Brown of La, Brown of White, Brumbaugh, Burke, Carter, Cheek, Connelly, Dickinson, Deltrow Fishback, Hipkins, Hutchens, Greening, Haning, Hare, Holden, Hudson, Jameson, Joyner, Keith, Kemp, King, Lee of Marion, Londermilk

Lowe, McCracken, McMurtrey, Muir of Clinton, Moore, Morris of Carroll, Morris of Stone, Orren, Payne, Priddy, Quarles, Richardson, Simmons, Tennant, Martin of Columbia, Tucker of Washington, Williams, Wright and Mr Speaker 55.

In the Negative. Messrs Archer, Brimley, Burris, Cody, Cruikshank, Davidson of Clark, Davidson of Lucas, Fraser, Gilman, Harrison, Hamilton, Jordan, Lee of Linn, Mack, Martin of Jefferson, Mr Connell of Cass, Rodgers, Stubbs, Tate, Taylor, Edmunds, Murray, Warnick and Washburn 26

So the motion to reject was agreed to

Mr McConnell moved to amend by striking out "Secretary" in the second section of the bill.

Upon a division of the House being called for and sustained. The House by a rising vote of 42 yeas to 21 nays agreed to the amendment

Mr Stubbs offered the following amendment "Provided: That no funds donated by the bill shall be paid by the R.R. Co for a greater price than five dollars per acre

Mr Martin of Washington moves to reject the amendment

The yeas and nays being called for and sustained.

The Clerk called the roll The following members voted in the affirmative Mr Archer, Ashby, Barrett, Bartley, Berry, Black of Boone, Blackwood, Bolton, Brady, Brown, Burke, Burris, Burt, Cartee, Clinch, Conway, Curtis, Dunlap, Dickinson, Fellows, Fish, Gaeth, Gilpin, Grubush, Greenup, Harris, Harrison, Holden, Hudson, Jamison, Joyce, Keith, King, Lee of Howard, Lowe, Mack, McMurtrey, Muir of Clinton, Moore, Morris of Carroll, Morris of Stone, Murphy, Orren, Payne, Priddy, Quarles

Riddick, Richardson, Simmons, Smith, Martin of Columbia, Martin of Washington, Warren, Washburn, Williams, Wright and Mr Speaker

57.

In the negative Mess Bonner, Brown of White, Byrne, Cooke, Crossmore, Davidson of Davie, Dosier, Gilbert, Hardy, Holmes, Jordan, Kenyon, Lee of Nurton, Meek, Martin, McConnell, McCracken, Miller of Conway, Minish, Rodman, Stubbs, Tate, Taylor, Thomas Turner.

25

So the amendment of Mr Stubbs was rejected

Mr Turner moved an amendment providing that this act take effect Sixty days after its passage

Mr Archer moved to amend the amendment by making it take effect Thirty days after passage

which was agreed to and read the first time and on motion the rules were suspended and the amendment read a second time and adopted

And

On motion of Mr Taylor the House at 1205 o'clock P.M. adjourned

J. S. Brandon
Speaker

John G. Bullock
Clerk

House of Representatives

Little Rock Arkansas
Thursday. Febuary 20th 1879

The House met pursuant to adjournment at 9. Oclock A.M.

The Clerk called the roll;
The following members answered to their names
Messrs Archer, Askew, Barnett, Barton, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Bray, Brevard, Brinkley, Britt, Brown of Lee, Brown of White, Brundidge, Burke, Burns, Carter, Cleek, Conway, Cooley, Cruikmore, Cunningham, Davidson of Izard, Davidson of Sharp, Davidson of Grant, Dawson, Dooley, Dickinson, Fetter, Fishback, Flippin, Fraser, Furbush, Gibson, Gunning, Hardy, Hare, Harrison, Holton, Horsfield, Holmes, Hudson, Jordan, Joyce, Keith, Kemp, King, Lee of Howard, Lee of Miller, Love, Maynard, Martin, McCammon, McCracken, McMurtry, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Carroll, Morris of Stone, Owen, Payne, Pindall, Rankin, Riddick, Richardson, Roden, Simmons, Simmons, Stubbs, Tate, Tayler, Thomas, Turner, Vance of Columbia, Vance of Washington, Vance, Washburn, Williams, Wright and McGraw
a Quorum present

Revd Mr Early offered prayer

The Clerk read the Journal of Tuesday and Wednesdays proceedings, pending the reading, On motion of Mr Vance of Washington that part of the Journal relating to reports of Committees was dispensed with; and there being no objection the Journal of the two preceding days was approved and signed by the Speaker and Clerk of the House

On motion of Mr Davidson of Sharp, leave of absence was granted Mr Wade until Wednesday next

Mr Dyer was granted further leave of absence until to morrow

On motion of Mr Sayler the Courtesies of the House were extended to Col. Cole

By request, Mr Parker of Washington moved that leave be granted Mr Kenny to report from the Committee on the Judiciary

and this being no objection Mr Adams reported as follows.

Mr Speaker

Your Committee on Judiciary to whom was referred the matter of the Putnam County Contested Election cases have had the same under Consideration and instructed me to report, That your Committee were in doubt as to the extent of the power and jurisdiction conferred on them by the Statute and therefore of the two several resolutions under which the subject was referred to them. By the first resolution the inquiry of your Committee was limited to the mere question whether Montgomery the Contestee having served a notice of Contest containing also the name of Main and duly qualified contested the seats of the two at the same time; and again if Montgomery having embraced the two names in his notice can legally strike out the name of one and continue the Contest as to the other," and again if it is a defect to give notice of a Contest against two, if that defect can be remedied by striking out the name of one at any stage of the proceedings. By the second resolution, or the one adopted upon the motion of the member from Sebastian - Mr McConnell - the duties of your Committee, by implication, at least seem to have been enlarged, to the extent almost of the whole subject matter of the contest between the parties in interest.

Your Committee will proceed to determine by their response, the several questions stated above in the order in which they occur or are raised.

1st As to whether Montgomery having embraced in his notice the names of both Jennette and Main and he can legally and might fully contest the seats of both at the same time.

We think after careful thought and due consideration of this question that if the object of the contest was to determine whether either Jno. Nash and Montgomery or either of them was elected to Seats in this House — that any one being a legal voter might inaugurate a contest by giving the legal Notice within the time and in the Manner prescribed by law. In the case we are considering the contest was and is for a double purpose. first to Oust the two parties to vacate their Seats on the grounds and by reason of the facts Stated in the Notice and secondly after their ouster to Seat the Contestants in their places; So it will be seen the object of this proceeding is double, that is to determine whether the incumbents shall be ousted and if so, whether the Contestants have shown themselves entitled to their places. Your Committee therefore hold that Montgomery could well and legally embrace both Issues and Maynard in his notice of Contest.

2d The next inquiry suggested above is as to whether Montgomery having given Notice thus he would contest the Seats of both Issues and Maynard can legally strike out the name of One and pursue the Contest as to the other? As to this, We do not think it of much moment to determine. But as the question arises and is presented we do not feel at liberty to pass it without proper notice. Our Answer is simply this As between himself and the person whose name is retained We See no reason why he might not legally do so as was done in this instance. But if the thing was illegal and not warranted, the striking out one name could not improve the matter in the least and your Committee are not prepared to say if Montgomery had the legal right by way of amendment or otherwise, to strike out the name of Maynard and so as to take him out the misery of the House touching his right to the seat of his Seat. Your Committee are rather inclined to the opinion that the only effect, if any, that could be produced by the striking out of the name of Maynard by Montgomery

was a retraxit as to him and a virtual declaration on the part of the latter that he would not claim to be seated in the place of the former even if he should fail in his contest with Annatt

3d Your Committee have virtually decided the third inquiry as above whilst considering the second just concluded

If your Committee were not restricted in the first resolution compelled with the one adopted on the motion of the member from Sebastian Mr McConnell - the scope of their duties would be greatly extended and enlarged, for in that event they would find themselves called upon to declare their opinions touching the main question of right and contest between the parties to this proceeding.

Finding that their opinion has not been invited upon the main question involved they most respectfully beg leave to decline any intimation further than to say that from the reports of the majority and minority of the Committee on Elections which were before them - the testimony not having been considered - they are led to believe no controversy exists as to the facts charged, but that the real point must turn upon the adjudication of the House upon the legal points presented and discussed above. If your Committee be correct as to this, there is no question or inquiry left for the House but to pronounce upon the naked question as to whether the contestants have shown themselves, by the proof, elected to the places now occupied by the incumbents. Your Committee feel warranted in saying by the papers which they have had before them, that legal notice was given that it was given in time; that it was served in the manner prescribed by law, and that the proof was taken at the time and by the proper officers in pursuance of such notice. All of which is respectfully submitted

Mr McConnell moved that rules be suspended for the purpose of taking up and considering the Minority report of the Committee on Elections

The House by a vote of 40 ayes to 21 nays refused to suspend the rules

Mr Brady moved that the report of the Committee on the Judiciary to get them the papers be referred back to the Committee on Elections and that they be required to report by to morrow morning after the reading of the Journal

On motion of Mr Harrison Mr Crawford was invited to a seat upon the floor of the House

The question being on the motion of Mr Brady

Mr Stubbs moved to amend by requiring the Committee to report this evening at 7 oclock and that it be made Special order for that hour

Mr Bobo moved to amend that all the evidence be then submitted

~~The motion as amended was adopted~~

The motion as amended was adopted

A Message was announced from the Senate

Mr Duffey the Assistant Secretary of the Senate appeared and read as follows.

Senate Chamber Feby 20th 1879

Mr Speaker

I am instructed by the Senate to inform your honorable body of the passage of

S.B. No 4 An act to be entitled "An act for the relief of J. F. Trumpler" Also

S B No 30. An act to authorize the Treasurer to issue certificates of indebtedness in certain cases" for other purposes" Also

S B No 37 A bill to be entitled "An act for the government of County Courts in making appropriations for County purposes"

S B No 63 An act to amend section (1936) of Gantts Digest" Also

S B. No 62 A bill for an act entitled "An act to amend section 4288 of Gantts Digest."

also
S B No 74. Substitute for S B No 31 A bill
SB 74. for an act to be entitled "An act to amend
Section 2991 of Gantts Digest" also
SB 99 S.B. No 99 Substitute for S B No 48. A bill
for an act to be entitled "An act to provide
for the improvement of the Streets, Alleys,
Sidewalks and Public grounds of Municipal
Corporations" Also
SB 101 S.B. No. 101. Substitute for No 7. "An act to
amend Sections 1544, 1547 & 1551 of Gantts
Digest of the Statutes of Arkansas" Also
SB 105 S. B. No 105. Substitute for S B No 91 "A bill
for an act to regulate the fees for issuing
County Scrip" Also
SB 113 S.B. No 113 A bill to be entitled "An act
to defray the Contingent Expenses of the
General Assembly" and herewith
respectfully transmit the same for your
favorable consideration

Lou T. Krotzschmar
Secretary

On Motion of Mr Thomas Leave was granted
the Committee on Elections to retire for
Consultation

SB 50 S. B No 50 being Special order for this hour
Mr Garrison of Sharp offered a
Substitute
Which was ruled out of order
Mr Jones moved the following amendment
Amend by a proviso to Except
that portion of Franklin County lying on
the North side of the Arkansas River
Which was read the first time
Mr Feltus moved to further amend
by exempting the County of Johnson from
the operations of the bill
Which was read the first time
Mr Richardson moved the previous
question — which was sustained

The question then being shall the main
question be now put

~~Which~~ It was agreed to

Mr Lee of Newton answered to his name

The question being on the amendment of Mr Inman as amended by Mr Potter

It was adopted

Mr Overman offered the following Amendment —

"Provided, That this act shall not take effect and be in force until 30 days from and after its passage. And during such 30 days the Land Commissioner or Commissioner of State Lands is hereby authorized to sell or donate any of said Lands as may be applied for and execute the application thereof Deeds, Conveying all the right title and interest of the State of Arkansas thereto, which deed shall have the same force and effect as Deeds from the State to other Lands."

"Provided further. That parties now living on any such lands having purchased the same innocently from parties may have Deeds thereto as above by paying into the State Treasury the amount of taxes for which the same was forfeited with all Costs and interest such parties to take precedence in the benefit of this act

Which was read the first time

Was on motion of Mr Rothback the Bill and Amendments were referred back to the Committee on Railroads with instructions that they report back by Monday morning next after the reading of the Journal

A Message was announced from the Senate by Mr Pilkinton the Assistant Secretary appeared and read as follows.

Senate Chamber July 20th 1879

Mr Speaker. I am instructed by the Senate to inform your Honorable body of the passage of

H.J.M.r n

of H.J.M. No 2. To the Honorable Senate & House of Representatives of the U. S. and herewith respectfully return the same

Lou D. Kretschmar
Secretary.

Upon leave granted,

Mr Jurlench offered the following resolution

Whereas; In the recent Senatorial Election & Contest a charge was made that certain Members had been bribed, or that bribes had been offered to certain Members of this House. Whereupon a Committee consisting of Messrs Fishback, Davidson, Thomas, Brady & Black of Boone were appointed to make a thorough and complete investigation of said charges &

Whereas the said Committee have been Examining witnesses since their creation by this House and during all such examination and investigation the Committee have thus failed to elicit any proof whatever derogatory to the character of either of the Contestants in the said Senatorial Contest or to show in any way their connection either directly or indirectly with the said charge of bribery or attempted bribery. and

Whereas The said investigation if permitted to go on will have a tendency to engender bad feelings, impede proper & useful legislation, which the people of the State are now demanding & not receiving and in the end will do no good

Therefore

Be it Resolved. That the Committee on Investigation of said charges as aforesaid & created by this House on a former day to wit, on the 24th day of January 1879 be & they are hereby discharged from the further consideration of this matter in order that they attend to the important & responsible duties assigned them as members of other Committees & as Representatives & Resolved further that each & every Candidate before the present general Assembly in the late Senatorial Contest be & they are hereby exonerated from

any and all suspicion or charges, of being directly or indirectly, engaged in using undue or unlawful influence upon any member of this General Assembly to secure his vote

Resolved That the honor and integrity of the membership of this House be vindicated by saying to the world, that they are not puppets or tools, to be handled by designing demagogues and that they are hereby exonerated of any, and all suspicion. Each and every directly being parties to such a nefarious transaction

On motion of Mr Riddick the Resolution was tabled

H.B. #284 H.B. No 284 being Special Order for today Mr Morris of Carroll moved that the bill be read a third time and placed upon its final passage

which was agreed to

The bill was then read a third time

The question then being

Shall the bill (H.B #284) pass

The Clerk called the Roll

The following members voted in the affirmative Mess Archie, Baker, Barnett, Bartley, Berry, Block of Boone, Block of Randolph, Bobo, Brady, Brewer, Brown of White, Brumbaugh, Burdette, Burns, Cantrell, Cheek, Conway, Cooley, Creekmore, Darden, Dawson of Sharp, Davidson of Izard, Dawson, Denley, Felton, Fishback, Griffin, Groce, Fairbank, Gillean, Greening, Henley, Harrison, Holden, Holifield, Holmes, Hudson, Jameson, Jordan, Joyner, Keith, Kemp, King, Lee of Garrett, Lee of Martin, Lindamood, Lord, Mainard, Martin, McConnell, McCracken, McMurtrey, Miller of Grant, Miller of Conway, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Organ, Payne, Pindall, Quarles, Riddick, Richardson, Roden, Simmons, Smallwood, Stubblefield, Tate, Taylor, Thomas, Thurman, Tucker of Columbia, Tucker of Washington, Vann, Vickers, Williams, Wright and Mr Speaker

79

In the affirmative 79
In the negative none
Absent and not voting 13
92

So the Bill (H.B No 284) passed

Under a suspension of the rules
H.B. No 187 was taken up
H B 187

On motion of Mr Mason of Washington
H B No 187 was read the third time

The question then being
Shall the Bill pass
The Clerk called the Roll.

The following members voted in the affirmative Mess. Archer, Asher, Barnett, Bartlett, Barry, Blackwood, Bray, Brewer, Brumfield, Burke, Burns, Cates, Conroy, Dawson, Dellinger, Felton, Griffin, Gwaltney, Gilliam, Greening, Hadrick, Holden, Hudson, Jamison, Joyner, Kemp, Lambeth, Laird, Mangum, Martin, McMurtry, Miller of Clarke, Morris of Stone, Payne, Reid of Lenoir, Rhodes, Richardson, Rodman, Simmons, Simpson, Tate, Taylor, Turner, Watson of Washington, Wright and Mr Speaker 49.

In the negative Black of Boone, Black of Randolph, Bobo, Brown of White, Church, Coody, Crumpler, Davison of Stanly, Harrison of Gaston, Hendley, Hinkle, Fraser, Hundley, Hatfield, Holmes, Jordan, Kyle, Long, Lee of Warren, Lee of Martin, McConnell, McCracken, Miller of Caswell, Minor, Morris of Currituck, Murphy, Owens, Stubbs, Thomas, Wallace of Columbus, Wynne, Washburn and Williams 32

In the affirmative 49
In the negative 32
Absent and not voting 13
94

So the Bill (H.B No 187) passed

On motion of Mr Lee of Howard the House at 11 A.M. took recess un, til 1/30 O'clock P.M.

After Recess
at 1/30 O'clock P.M

The Clerk called the Roll when the following members answered to their names, Messrs: Archer, Askew, Barnett, Barker, Barry Black of Boone, Black of Randolph, Blackwood Bobo, Brady, Brewer, Brinkley, Britt, Brown of Lee, Brown of White, Brumpass, Burns, Carter Clark, Conway, Coody, Creekmore, Cunningham Davidson of Chicot, Davidson of Izard, Dawson Denby, Dickinson, Feltner, Fishback, Griffin Fraser, Furbush, Gillam, Greening, Hare Harrison, Holden, Holifield, Holmes, Hudson, Jordan, Joyner, Keith, Kerlin, King, Lee of Howard Lee of Pulaski, Londerminik, Martin, Maynard McConnell, McCracken, McMurtrey, Miller of Clark Miller of Conway, Moore, Morris of Carroll Morris of Clark, Murphy, Owens, Pindall, Quarles, Riddick, Richardson, Simmons, Stubbs, Taylor, Thomas, Turner, Tyson, Walker of Columbia, Walker of Washington, Warren, Washburn, Weir, Williams, Wright, and Mr Speaker.

A quorum present.

Messrs Tate and Jameson, were excused on account of sickness.

Mr Abel, member elect from Sevier County, Jas. S. to fill a vacancy caused by the death of Hon C. B. Coleman came forward, and took and subscribed to the oath of office, as prescribed by law, before the Speaker of the Senate and entered upon the discharge of his duties, as such member.

Mr Fishback, ~~asked that the Committee~~, appointed to investigate certain charges of bribery in the late Senatorial race, be ~~discharged~~, excused.

Which was not agreed to.

The question being on the Contested election

case &c.

Mr Thomas, Chairman of said Committee submitted the following report:

Mr Speaker:

I am directed by a majority of the election committee to report the contested election case of J R Montgomery, contestant, against Martin Rinnott contestee, to the House, recommending that J R Montgomery is entitled to the seat now occupied by the said Martin Rinnott.

Thomas, Chairman
Tilghman
Trimble
Tyson.

Also the following:

Mr Speaker:

I am directed by a majority of the election Committee, to report the contested election case of Granville Riles contestant, against E L Maynard, contestee, to the House recommending that Granville Riles is entitled to the seat now occupied by the said E L Maynard

Thomas
Tilghman
Trimble
Tyson

Mr Brinkley from the same committee submitted the following Minority report:

Mr Speaker:

The undersigned members of your Committee on Elections, beg leave to respectfully differ from the report of a majority of the members thereof; and with many expressions of profound respect for the legal learning and profound appreciation of law of the distinguished gentlemen who compose the Judiciary Committee of this House; and here submit a minority report from the Committee on Elections in the contested election cases of Ryles and Montgomery against Rinnett and Maynard.

On first presenting our minority report we beg leave to submit to the consideration of the House, a proposition of the law, which we think decisive of the legal questions involved. After a careful examination of all authorities accessible to us, we arrive at the conclusion that the legislative department of the Government

of the State of Arkansas, through and by the enactment of the general election law of 1875, designed, and they gather from the provisions of said act, that it was the legislative intent to cover the whole subject matter of elections and election contests.

When we can no longer walk upon the highway of precedent, necessity compels us to look to the collateral analogies of the law. The Supreme Court of the state of Arkansas in the case of Pulaski County vs. Dohoner, 10 Ark., 590 and in 31. Ark, 19. Supported by the following authorities: Wakefield vs Phelps, 37 N. Y. 295. Farr vs Brockett, 36. Vermont, 340. Giddings vs Cox. 31 Vermont, 607. State vs Goulding, 19. Cal. 501. Stinman vs State, 21. Texas. 734. Conley vs Calhoun County 2, W. Va. 416. announced the doctrine which the members who sign this report, regard as fundamental. That whenever it appears from the general character of a legislative enactment, that it was the legislative intent to cover the whole subject matter, that law and the provisions thereof must govern in all cases arising within the scope of the subject matter of the law. We desire to quote from the provisions of the election act of 1875, so far as it concerns this case: Sec 76. If any candidate of the proper county or district, contest any election of any person returned duly elected to the state Senate, or House of Representatives, such person shall give notice thereof in writing to the person whose election he contests, or leave a written notice. x x x

When this law was enacted it was presumably enacted in reference to existing laws, and plural representation in the Lower House of the General Assembly from counties having over at certain number of inhabitants, had been provided for by the Constitution of 1874. It will be discovered that the section first quoted, mentioned the contestee in the singular, and, knowing the facts aforesaid, had it been the legislative will they would have provided for a contest against more than one. It will be seen by the General Election law, thus quoted that the incumbent of the office, whose right and seat is contested, must be specifically and definitely notified of the grounds of contest. The contestees holding the prima facie right and

title to the office; in these counties enjoying a plurial representation in the Lower House of the General Assembly the undersigned desire to submit to the House, that the certificate of election held by the seated members emanates from an official elected by the majority of the voters of Pulaski County, as is conceded.

We require stronger proof than has been adduced before this committee by the contestants. Ryles and Montgomery, before we could feel gratified in recommending the disregard of the certificates of a sworn official. We beg leave to refer the testimony to this honorable body with the earnest request as we think in the interest of justice and law, that it be given a critical and exhaustive examination. The proof in the case appears before us in the crude form of depositions.

We submit the question to the House, whether the evidence bears the authenticity required by law.

But waiving this question, as there are many members of the House who desire to indulge in high-wrought platitudes and rapid sentimentations upon the inviolability of the right of suffrage, we submit that no member of this House, regarding his oath on the testimony adduced, scrutinizing it closely in the light of the rules of law, could support the case of the contestants as it appears before this committee. These are our views. We concede honesty to the other distinguished gentlemen, but would ask this House before the sitting members are deprived of their seats, that the proof in the case be examined closely, and decided upon, with at least a show of regards for the forms of law. The undersigned would recur to the question of law, presented by the motion of the counsel for contestants before the Committee, and argue that the motion to amend was a concession of the weakness of their case, and we earnestly insist that the admissions implied by the motion to amend the notice indicated what we think to be shown from the testimony when examined as aforesaid — that the contestants have before us no case. The suggestion of the report presented by the distinguished Chairman of the Judiciary Committee, of the right to strike out by way of amendment the name of one of the contestants, would, if applied, open, we think, an avenue to fraud and collusion which is not contemplated by the law. When there is a plural representation, a contestant who received a

majority of the votes would be at liberty to select the one he desired nuncated from a number of incumbents; and by striking a name from the notice of contest of one or more of the contestees, could unseat any contestee he saw fit. We think this to be substantially the effect of the report of the Judiciary Committee this morning presented to the House. It was stated in the report that the striking out of a name of a contestee was a retraxit of contest against the contestee, whose name was thus stricken out. We submit that the position thus assumed is erroneous; and, with due ~~fea~~ deference, submit on this branch of the case the foregoing views. We regret our conscientious views upon the point embraced herein, necessitate the presentment of this minority report. We regret the necessity that compels us to place ourselves in opposition to the profound and able lawyers who compose the Judiciary Committee of this House, but feeling that we would be recreant, with our present views to the obligations resting upon us, were we to accede to the majority report, we beg leave to submit this disconnected and imperfect expression of our views, upon the cases aforesaid. Respectfully submitted.

Brinkley.
Britt.

The first in order being the case of Montgomery vs. Dinnatt.

Mr Thomas moved the adoption of the majority report.

Mr Brinkley moved as a substitute, the adoption of the minority report.

Which was not agreed to.

The question then being upon the adoption of the majority report.

The same was adopted.

Mr Murphy offered the following Resolution:

"Resolved that John R. Montgomery be and is declared entitled to the seat on this floor, as the Representative of Pulaski County now occupied by Martin Dinnatt, and that

the; John R. Montgomery, be sworn in,"
Which Resolution was adopted.

And,
Thereupon Mr John R. Montgomery, came forward and took and subscribed the oath of office prescribed by law, before the Speaker of the House and entered upon the discharge of his duties.

The next case being that of Ayles vs Maynard,
Mr Murphy, moved the adoption of the majority report,
Which was adopted.

Mr Pindall moved to reconsider the vote that had, by which the majority report, in the case of Ayles vs Maynard was adopted.

Mr Stubbs moved that the motion to reconsider that made, be postponed, and made the special order for tomorrow evening at 7:30 oclock
Which was agreed to.

On further motion of Mr Stubbs,
The House at 10:40 oclock P.M.
Adjourned.

John G. Holland
Clerk.

J. T. Braden
Speaker.

House of Representatives

Little Rock Arkansas
Friday February 21st 1879

The House met pursuant to adjournment at 9 o'clock A.M.

The Clerk called the roll
The following members answered to their names
Messrs Archer, Askew, Barnett, Barton, Barry, Black of Boone, Black of Randolph, Bobo, Braly, Brewer, Brindley, Brizo, Brown of Ark, Brown of White, Bumpass, Burke, Burns, Curtis, Cluck, Conway Cooley, Crichmore, Cunningham, Davidson of Hempt, Davidson of Izard, Dawson, Deviden, Dickinson, Felton, Fishback, Fitzpatrick, Fraser, Furbush, Gill, Gunn, Greening, Hindy, Hare, Harrison, Hollis, Holifield, Holmes, Hudson, Jamison, Jordan, Joyce, Keith, Kemp, King, Lee of Howard, Lee of Newton, Lendermilk, Mainard, Martin, McCormick, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Minor, Montgomery, Moore, Morris of Carroll, Morris of Stone, Murphy, Orear, Payne, Pindall, Quarles, Risdick, Richardson, Roden, Simmons, Steel, Stubbs, Scott, Sayer, Thomas, Tyson, Vance of Columbia, Vance of Washington, Wann, Washburn, Weir, Williams, Wright and Mr Speaker

a quorum present

The Clerk read the Journal of yesterday's proceedings and the Journal was corrected by showing that A.B No 298 was introduced under a suspension of the rules, by Mr. Tucker of Washington. It being "A bill for an act to appropriate money to pay the mileage, per diem and contingent expenses of the General assembly" which was read the first time and that the rules were suspended and read a second time, and made Special order for this morning after the reading of the Journal in Committee of the Whole after which the Journal was approved and signed by the Speaker and Clerk of the House.

H.B.No. 298

The Speaker called Mr Fishback to the Chair.

HB #100 S. B No. 100 being a Special order set for today after the reading of the Journal on Dcby 17th was taken up

Mr Bowden moved that the bill be read a third time and placed upon its passage

Mr Holden moved to strike out "Hot Springs" wherever it occurred in the bill and called for the ayes and nays; which being ordered the Clerk called the roll; When the following members rated in the affirmative Mess Archer, Baker, Barnett, Barton, Berry, Black of Boone, Black of Randolph, Bobo, Brown, Brown of Ku, Brown of White, Brumpas, Burns, Carter, Coody, Creekmore, Davidson of Sharp, Davidson of Izard, Dawson, Dudley, Dickinson, Fellers, Hilpin, Fraser, Furbush, Gilliam, Hanly, Hare, Harrison, Holden, Holifield, Holmes, Hudspeth, Jameson, Jordan, Joyner, Kemp, King, Lile of Howard, Londermilk, Maxwell, Martin, McCracken, Miller of Conway, Minor, Morris of Stone, Payne, Riddick, Rodgers, Simmons, Steel, Stubblefield, Taylor, Turner, Tyson, Walker of Columbia, Warren and Wrightsman 54.

In the Negative: Mess Braly, Currie, Cloud, Conway, Fishback, Glenning, Hick, McConnell, Miller of Clark, Mundy, Mooney, Murphy, Orr, Pennell, Richardson, Shamus, Tudor of Washington, Williams, Wright and Mr Speaker - 21.

So the motion to strike out was carried by

Mr Barnett moved the previous question which was ordered

The question being shall the bill be read a third time and placed upon its final passage

Or which was adopted

The bill was then read a third time

The question then was shall the bill pass

The Clerk called the Roll

The following members rated in the affirmative Mess Archer, Barnett, Barton, Berry, Black of Boone, Bobo, Braly, Brown, Bostic, Brown of Ku,

Burke, Carter, Chick, Conway, Crenshaw, Cox, Bingham, Darrow, Dunlap, Dickinson, Fox, Leach, Fitzpatrick, Furbush, Gilliam, Greening, Hanly, Hart, Holden, Hudson, Jamison, Joyce, Keith, King, Lee of Hancock, Lee of Newton, Maynard, McCleave, Miller of Clark, Montgomery, Moore, Morris of Carroll, Murphy, Owen, Payne, Pinkney, Rhodes, Riddick, Richardson, Rodibaugh, Simmons, Steel, Taylor, Turner, Tyson, Walker of Columbia, Walker of Washington, Washburn, Weir, Williams, Wright and Mr Speaker 61.

In the Negative Messr Black of Randolph, Brinkley, Brown of White, Bumpass, Byrnes, Coody, Cunningham of Shurp, Cunningham of Izard, Felker, Fraser, Harrison, Hatfield, Holmes, Jordan, Kinney, Lendermon, Martin, McCracken, Miller of Conway, Minor, Morris of Stone, Stubbs, Tate, Thomas and Mannin 26.

In the affirmative 61.
In the Negative 25.
Those who not voting 07.
93

So the Bill (S.B. No 100) passed

The Speaker, remmed the Chair
Mr McConnell was granted leave to have the following explanation of his vote spread upon the Journal

I doubt the propriety of donating lands to Railroads, but as the friends of the various Railroads promise to support a Bill giving the lands of the State to the several counties in which they lie I will support this Bill. I therefore vote aye

N.B. #298 H. B. No 298 being next Special Order
The House went into Committee of the whole Mr Stubbs in the Chair

After the House had spent some time spent in Committee of the whole

On motion of Mr Barry the Committee rose instructing its Chairman to report the Bill back to the House recommending that the Bill do pass.

The Speaker resumed the chair Mr Stubbs the Chairman reported HB No 298 back to the House recommending passage

The report was adopted

On motion of Mr Shipp the Bill was read a third time

The question then being Shall the Bill (HB No 298) pass The Clerk called the roll

The following Members voted in the affirmative Messrs. Archer, Askew, Barnett, Barlow, Barry, Black of Brooks, Boles, Bray, Brewer, Brinkley, Brown of Lee, Brown of Mitchell, Burke, Burns, Carter, Chiles, Conway, Cumming, Curry, Davidson of Thomas, Davidson of Dade, Dennis, Detscher, Felton, Fish, Gibbons, Shipp, Fraser, Furlow, Gilliam, Greenway, Hardy, Hare, Harrison, Holder, Hollingsworth, Hopkins, Hudson, Jameson, Jordan, Joyner, Kelly, Kelso, Lawton, Mathis, Mitchell, Mitchell and, Martin, McConnell, McCracken, Miller of Clarke, Miller of Gwinnett, Minor, Moore, Morris of Carroll, Morris of Stone, Owen, Payne, Pendarvis, Quarles, Richardson, Rodgers, Simmons, Stubbs, Tate, Taylor, Turner, Tyson, Walker of Columbia, Walker of Washington, Wasdon, Weir, Williams, Wright and Mr Speaker 71.

In the negative Messrs Black of Randolph, Britt, Coody, Cravey, Darsey, Ivey, Riddlick, Stell, Timms and Wadkins 10.

In the affirmative 71
In the negative 10
Absent and not voting 12
So the Bill (HB No 298) passed

A Message was announced from the Senate
by Mr Fatherly the Assistant Secretary
appeared and read as follows

Senate Chamber
Feby 22nd 1879

Mr Speaker. I am instructed by the
Senate to inform your Honorable body
of the passage of
H.B. No 60. A bill for an
act Entitled "An act to repeal Sections
967, 938, 939, 944, 945 946, 947, 948, 949,
and 4576, of Gantts Digest and for other
purposes"

H.B. 60.

Also

H.B. No 207 A bill for an Act
to prohibit the sale or giving away of
ardent Spirits within three miles of the
Fremont Rhodes College" and therewith
respectfully return the same

H.B. 207

Lon D. Greidehmar
Secretary

On motion of Mr Pickard the rules
were suspended for the purpose of
taking up bills on Special Orders
on previous days not reached

S.B. 46

S.B. No 246 being first Special order

Miss Lora Mc Blackwood answered to their names
The Speaker called Mr Thomas to the Chair
Mr Pindall moved that the bill S.B. #46
be read a third time and placed upon
its passage

Mr Austin of Columbia moved the following
amendment

"Amend to amend as follows
"that Section 4 of the act approved March
the 6th 1875 be and the same is hereby repealed"

which was read the first time

Mr Barnett moved to table
the amendment

Upon which motion

The ayes and noes were called for & sustained
The Clerk called the roll
When the following members rose in the affirmative
Messrs Archer, Barnes, Black of Randolph,
Brown of Lee, Brown of White, Burns, Conway,
Davidson of Clark, Davidson of Izard, Dawson,
Dooley, Fishback, Furbush, Gilkey, Hanly,
Hare, Holifield, Joyce, Keith, Kemp, King,
Martin, McConnell, Miles of Conway, Mont-
gomery, Morris of Carroll, Quarles, Reid,
Rieb, Thomas Adams, Washburn, Williams
and Wright 23.

The following rose in the negative Messrs
Askew, Barton, Berry, Black of Boone, Bobo,
Bray, Brewer, Britt, Brumley, Burke, Cate,
Clark, Coody, Crutcher, Cunningham,
Dickinson, Dotson, Griffin, Greening,
Harrison, Holder, Holmes, Hudson, Janeway
Jordan, Lee of Monroe, Lorrumrick, Mann-
ard, Miles of Clark, Minor, Moore, Morris
of Stone, Owen, Pindall, Richardson, Rodin,
Simmons, Teel, Stubbs, Taylor, Turner,
Tyson, Walker of Columbia, 46

So the motion to table was not agreed to

On motion of Mr Stubbs the bill was
referred to the Committee on Appropriations

The Sergeant at Arms announced a
message from the Governor
Said announced the Private Secretary
to the Governor appeared and read
as follows.

State of Arkansas
Executive Office
Little Rock Dec. 21st 1874

To the Speaker of the House of Representatives
Mr Speaker
It becomes my duty to send
to the General Assembly a Statement of
the deficiencies prepared by the Auditor
In presenting this Statement, I feel it my
duty to repeat the intimation expressed
in my Biennial Message, that the payment
of Militia Expenses in Scott County

possesses a character, which can only be called a sacred one. The officers and men went under orders, at the peril of life, and actuated by motives purely unselfish — they had no security of pay, other than such as might result from your action; appropriation therefore was made. The men who furnished the supplies did so from a feeling of patriotism combined with enlightened self-interest. Ready money — Market stood open for them, while they poured out their bacon, and corn for clothing, except as your gentlemen of the General Assembly might see fit to recognize their demands. The citizens who stand ready at their own sole expense to honor the law, should receive the support of the makers of the law; or else there is no law, no peace, and no security for society.

W. D. Miller
Governor

Statement showing amount of deficit on Appropriations Exhausted

Refunding money erroneously paid into the State Treasury	$ 900 60
Expenses of the Militia	15,145 49
Salaries and Contingent expenses in the Governors office	2185 25
Salaries Asst & Contingent expenses of Supt Pub Instr	701 57
Capitol Police	183 11
Costs & expenses prosecuting suits in Chancery	8 72
Contingent Expenses Supreme Court	210 50
Care and repair State House & Grounds	534 00
Pay Registers for 1872, 1873 & 1874.	36 00
Asst Clerk & Contingent Expenses of the Atty Genl	249 00
J. N. Lenox Salaries State officers at the Penitentiary	161 25

John. Crawford
Auditor

Mr Clerk from the Committee on Enrolled Bills reported as follows.

Mr Speaker

Your Committee on Enrolled Bills respectfully report that they have examined H.J.M. No 2 and find it correctly Enrolled, Signed by the Speaker and the President of the Senate and presented the same to his Excellency the Governor for his Consideration

H.B. #23 H.B. No 23 being next Special order

The Speaker resumed the Chair

On motion of Mr Dobbs H.B. No 23 was read a third time The question then being Shall the bill (H.B. No 23) pass. The Clerk called the Roll

The following members rated in the affirmative Mess Archer, Asher, Barker, Boles, Brewer, Brinkley, Britt, Brown of Lee, Brown of White, Brumpass, Burke, Burns, Carter of Cleveland, Conway, Cowling, Davidson of Izard, Dawson, Dickinson, Firebush, Greening, Hanly, Hare, Harrison, Holden, Hollowell, Holmes, Hudgens, Jameson, Joyner, Kemp, King, Lee of Howard, Mainard, Martin, Miller of Cleveland, Mimms, Morris of Hempstead, Owen, Pickard, Rodgers, Simmons, Steel, Stubblefield, Taylor, Thomas, Dean, Wallace of Columbia, Wallace of Washington, Warren and Mr Speaker 51.

In the Negative Mess Barry, Black of Boone, Black of Randolph, Bray, Brenneman, Davidson of Sharp, Hadley, Fetter, Hipkins, Fraser, Gillam, Jordan, Kent, Lee of Perry, McConnell, McCracken, Montgomery, Moore, Payne, Reeves, Richardson, Simms and Williams 26.

In the affirmative	51
In the Negative	26
Absent and not voting	19
	96

So the Bill (H.B No 23) passed

H.B. #115 H.B No 115. being next Special order

On motion of Mr Sinclair the amendment offered by the Judiciary Committee was read a second time and adopted

Mr Fishback offered the following amendment. Insert ~~after~~ after the word "accordingly"

Provided: That the net earnings shall

not be less than twenty five per cent of the gross receipts from said daily operations within said period"

Which was read the first time

Mr Brady moved that the amendment be now suspended and the rules be read a second time and moved the previous question Which being sustained

The main question being upon the second reading of the amendment offered by Mr Fishback

~~Which~~ was agreed to

The amendment was then read a second time and adopted

The amendment offered by Mr Inman upon a previous day was read a second time and adopted

Mr Fishback moved that the bill be engrossed and made Special order for Tuesday next after the reading of the Journal

The ayes and noes being called for upon the question to engross

Which was sustained

The Clerk called the roll, the following members voted in the affirmative Messrs Archer, Asker, Barnett, Barton, Barry, Blackwood, Brady, Brewer, Brinkley, Britt, Burke, Curtis, Compton, Cunningham, Dameron, Dickinson, Fishback, Fraser, Fairbush, Gillam, Greening, Haney, Hare, Holden, Hudson, Jameson, Joyner, Keith, Lee of Howard, Lowdermilk, Maxwell, McBounds, Miller of Clark, Moore, Owen, Payne, Priddell, Quarles, Ricketts, Richardson, Rodes, Steel, Taylor, Upson, Walker of Columbia, Walker of Washington, Wamsley, Weir, Williams, Wright and Mr Speaker 51.

In the negative Messrs Black of Boone, Black of Randolph, Boles, Brown of White, Brumpass, Byrds, Chiles, Coody, Creekmore, Davidson of Shaw, Davidson of Izard, Dooley, Feltner, Phippin, Harrison, Mayfield, Holmes, Jordan, Kemp, King, Martin, McCracken

Mills of Conway, Minor, Montgomery, Morris of Carroll, Morris of Stone, Simmons, Stubbs, Thomas, & Turner 81.

So the motion to Engross was agreed to

The question then being upon the motion that it be made Special order for Tuesday next after the reading of the Journal

It was adopted

On motion of Mr Fraser the House at 1.00 O'Clock took a recess until 7.30 O'clock P. M.

After Recess at 7.30 P. M.

The ~~Clerk~~ House met pursuant to adjournment.

The Clerk called the roll when the following members answered to their names: Messrs. Archer, Aiken, Barnett, Barker, Barry, Black of Randolph, Blackwood, Bobo, Brady, Brinkley, Britt, Brown of Lee, Brown of White, Brumbaugh, Burke, Burns, Carter, Chuck, Conway, Coody, Creekmore, Davidson of Sharp, Davidson of Izard, Dawson, Denby, Fellmer, Fishback, Gilkiphin, Fraser, Furbush, Gillam, Greening, Handy, Hare, Harrison, Holder, Holifield, Holmes, Hudson, Jameson, Jordan, Joyner, Keith, Kemp, King, Lee of Holland, Lindenmuth, Lowe, Martin, Maitland, McConnell, McCracken, Miller of Clark, Miller of Conway, Mina Montgomery, Moore, Morris of Carroll, Morris of Stone, Murphy, Owens, Rayner, Pindall, Quarles, Riddick, Richardson, Roden, Simmons, Steel, Stubbs, Thomas, Turner, Tyson, Walker of Columbia, Walker of Washington, Warner, Washburn, Weir, Williams of Wright, and Mr Speaker.

A quorum present.

On motion Mr McMurtrey was excused.

SB# 4

Mr Jameson rose to a question of privilege and asked that the rules be suspended, for the purpose of taking up Senate Bill # 4.

Which was agreed to,

and on further motion, Senate Bill # 4. was read the first time, and referred to the Committee on Claims.

Mr Joyner gave notice that he would on tomorrow, move a reconsideration of the vote by which Mr Dimmatt vacated his seat, in favor of Mr Montgomery.

The question being on the motion to reconsider the vote by which the majority report in the contested election case of Ryles vs Maynard, was adopted, and the ayes and nayes being called for,

And the call sustained,

The Clerk called the roll, when the following members voted in the affirmative:

Messrs. Archer, Ashew, Bartlett, Barry, Black of Randolph, Blackwood, Bobo, Brady, Brewer, Brinkley, Britt, Brown of Lee, Brown of White, Bumpass, Burke, Burns, Carter, Chuckt, Conway, Coody, Davidson of Sharp, Davidson of Izard, Denby, Dickinson, Fellton, Fraser, Fairbush, Greening, Hanly, Hare, Harrison, Holden, Holifield, Holmes, Hudson, Jameson, Jordan, Joyner, Keith, Kemp, King, Lee of Howard, Lauderdale, Lowe, Martin, Maynard, McCracken, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Carroll, Monks of Clone, Murphy, Owens, Payne, Pindall, Quarles, Riddick, Richardson, Roden, Simmons, Steel, Stubbs, Thomas, Tyson, Walker of Columbia, Walker of Washington, Warner, Weir, Williams, Wright and Mr Speaker. 73.

Mess Barnett, Breckmore, Dawson, Gillam, McConnell, and Montgomery, voted in the negative. 6.

Mr Turner was excused from voting.

In the affirmative	73.
In the Negative	6.
Excused from voting	1
Absent and not voting	18
	98

On the motion to reconsider was agreed to.

Mr Murphy offered the following Resolution:

"Whereas this House has expressed its desire to hear the evidence in the case before them therefore: Be it Resolved, that the evidence now be read.

Mr Robb offered the following substitute to the Resolution:

"I move that the matter be committed to the Committee on Elections, with authority to them to take additional testimony in the case."

Mr Dawson offered the following as an amendment to the ~~resolution~~ substitute, offered by Mr Robb,

"I move to amend by authorizing said election Committee to summon persons, and send for papers, and that they be requested to report at the earliest possible moment."

Mr Harrison moved the previous question.

Which was ordered.

The question being upon the amendment to the substitute offered by Mr Dawson.

The same was put, and the amendment adopted.

On motion of Mr Barry, Mr Taylor was excused.

HB# 111 On motion of Mr Miller of Black, House Bill # 111. was taken up, and the bill and pending amendment was read the second time, ~~and~~

~~On further motion,~~ the Bill was ordered engrossed ~~and~~ made the special order for 10 o'clock am, of Tuesday next.

~~Mr Hardy moved that the rules be suspended in order that he might report back House Bill # 143.~~

~~Which was agreed to.~~

~~whereupon he submitted the following report.~~

Mr Owen offered the following amendment.

"I move to amend section 8. by adding to the end of said section the following "Which sum or sums shall be charged to and collected from that part of Clark County as attached to Dallas County." and section 9. by adding after the word "Nevada" in the 27th line. the following "and the holders of such Clark County scrip shall have the same rights to enforce the collection of said scrip as they now have by existing laws."

Which was read the first time and on motion of Mr Owen the rules were suspended and the amendment was second time

Mr Miller of Clark moved that the amendments be adopted which was agreed to On further motion the bill was ordered engrossed and made Special order for the day next at 10 oclock A.M.

On motion of Mr Manly the rules were suspended and he was allowed to report upon S.B No 143

S.B. 143.

The report is as follows to wit:

Mr Speaker

Your Committee on the Judiciary have had S.B No 143 entitled "An act to reduce the salaries of the officers of the Executive and Judicial departments of the State government; to reduce the per diem of the members of the General Assembly and to reduce the number and to fix the compensation of officers, Clerks and employees of the same" have had the same under consideration and instruct me to report; that they recommend said Bill do not pass in its present shape but that two bills be prepared as substitutes for the same each properly and appropriate titles; one to contain all the provisions contained in the bill under consideration from section one to and including Sections Eight, with a section added that said act shall not take effect and be in force until after the expiration of the

terms of the several offices in said bill specified.

And the other Bill to contain all the other sections of said bill under consideration from and including Section Nine down to and including Section fourteen with a section added that said act shall not take effect and be in force until on and after the general election in 1880.

Your Committee further instruct me to return said Bill No 148 with the several amendment which have been proposed thereto with the recommendation that they lie on the table

On motion of Mr Stubbs H.B. No 148 was made Special order for Monday next at 10 o'clock A.M.

On Motion of Mr Hanson the House of Representatives was tendered to the Colored citizens for Monday Evening next.

On motion of Mr Davidson of Sharp the rules were suspended and H.B. No 199. taken up

HB 199

Mr Davidson of Sharp moved that H.B No. 199 be made Special order for Monday next at 10 o'clock A.M. which was agreed to

On Motion of Mr Hardy, Mr Dickson was excused from further service on the Committee on Elections

And on further motion the House at 4.55 P.M. adjourned

J. S. Bearden
Speaker

John G. Holland
(Clerk)

House of Representatives

Little Rock Arkansas
Saturday Feby 22nd 1879

The House met pursuant to adjournment at 9 oclock A M.

The Clerk called the Roll

The following members answered to their names Messrs. Archer, Askew, Barnett, Barton, Black of Boone, Black of Randolph, Blackwood, Bobo, Braly, Brinkley, Britt, Brown of Lee, Brown of White, Brumpass, Burke, Burns, Carter, Cheek, Coody, Cullmore, Cunningham, Davidson of Sharp, Davidson of Izard, Dawson, Dunlap, Dickinson, Felton, Fishback, Flippin, Fraser, Furbush, Gillum, Gunning, Hailey, Hare, Harrison, Holden, Horsfield, Holmes, Hudson, Jamison, Jordan, Joyner, Keith, Kemp, Kirby, Lee of Howard, Lee of Perry, Martin, Menifee, McCommell, McCracken, McMurtrey, Miles of Conway, Minor, Montgomery, Moore, Morris of Carroll, Morris of Stone, Murphy, Owens, Pindall, Quarles, Roden, Simmons, Stark, Stubbs, Tate, Thomas, Tinny, Tyson, Walker of Washington, Wann, Washburn, Wait, Williams and Mr Speaker

a quorum present

On motion of Mr Askew leave of absence was granted Mr Walker of Columbia until Wednesday next.

Mr Barry was excused until Monday next together with Messrs Richardson, Wright and Conway

Revd Mr Adams made effectual prayer

Mr Fraser moved that the House adjourn in honor of the Anniversary of the great Jubilee of this Country George Washington

Upon which motion Mr Lee of Howard Called for the yeas and nays, which being ordered,

Taken

The Clerk called the Roll

The following members voted in the affirmative Messrs Blackwood, Dawson, Hinkley

Fraser, Furbush, Gilman, Greening, Harriman
Hinkley, Murphy, Simmons and Talbot of Washing-
ton 12.

In the negative Messrs Archer, Askew, Barnes, Barker
Black of Dorset, Black of Randolph, Bobo, Braley,
Brinkley, Brock, Brown of Ver, Brown of White, Bruce,
Burns, Burrill, Burrus, Carter, Church, Cooley, Cross,
Curtis, Cummings, Davidson of Clark, Davis
son of Sand, Dickinson, Fellows, Fishbeck,
Flippin, Hanley, Hare, Holden, Hatfield, Holmes
Hudson, Jameson, Jordan, Kent, Kenny,
King, Ledbetter, Lee of Norton, Martin,
Maxwell, McConnell, McGrady, McMurtrey,
Miller of Conway, Minor, Moore, Morris of Carroll,
Morris of Stone, Orrick, Pindall, Rawles,
Rodgers, Simmons, Steel, Stubbs, Tate, Tenny,
Tyson, Vance, Washburn, Weir and Mr Speaker
62.

So the motion to adjourn was lost

On motion of Mr Weir Mr Miller of Clark
was excused

The Journal of yesterdays proceedings
was then read and there being no objection
the same was approved and signed by the
Speaker and Clerk of the House.

Mr Layini answered to his name.

Mr Fishback asked leave that he might
move for a suspension of the rules in order
that he might report from the Special Com-
mittee appointed to investigate frauds
in Elections previous to 1874

Which was agreed to

The rules were suspended and Mr Fishback
reported as follows.

Mr Speaker --

Your Committee to whom was referred the House
Resolution calling for facts in relation to the
infraction of the right of suffrage in
this State, have instructed me to report
that there has been brought to their attention
an immense mass of facts relating to the
methods used from 1868 to 1874 by which a
large majority of forty six Thousand voters

was reduced to a small minority; but that to avoid a report which would be so Cumbersome as to be practically useless, they have directed me to select for this report, from each Class of cases that exemplifying the fact such as will best illustrate the method of which it is consumed, appending to a recital of each fact the names of the witnesses by which it may be established

Accordingly, I beg respectfully to report that. First. In 1868 in Cedar Point Township in Hot Springs County (then a part of Ouachita County) every white man who offered to vote for Seymour and Blair was threatened with arrest and but only one negro was permitted to cast his vote for the Democratic Ticket — That one was Thomas Hardin — Witness Hon. C. W. Adams and others of said precinct —

2d. That in the Election of 1872 Sandy Green (colored) of Fountain Township Precinct in Phillips County had a democratic ticket which he desired to vote, but was threatened by the Republicans with death if he dared to do so. That the Ticket was taken from him and a Republican Ticket was placed in his hands and himself marched up to the polls and forced to put in the Ballot Box against his will — Witness J. T. Graves of said precinct and many others.

3d That in Mississippi Township Clark County, in 1874, the Ballot box was stuffed so as to vote several hundred, some four hundred more than there were voters in the Township — Witness P. J. Pratt and Robt Tate and many others in Arkadelphia.

4th That in Antioch Township in Hot Springs County Hon J. M. Miller was threatened and was arrested for keeping a tally of the votes in the Election of 1874 although he was some fifty feet off from the polling place quietly sitting down watching the repeating of some dozen votes. Witness Hon Miller of Arkadelphia. Ark.

That the facts set forth in the original Resolution under which this investigation was instituted and which I beg to make a part of this Report can be established by the following Witnesses

Thomas Marcum Joseph Miller W J. Cunningham
of Fort Smith Ark! H.B. Armistead Charleston
Franklin County Ark. W.M. Fishback Fort Smith
Ark. J. J. Crumpton Hot Springs Ark and many
others

Your Committee would therefore respectfully recommend the adoption of the following Resolution

Resolved. By the House of Representatives of the General Assembly of the State of Arkansas, that a copy of the within report certified by the Speaker and attested by the Seal of the Clerk, together with a copy of this Resolution be forwarded by the Clerk immediately to our Senators, with a request that they lay them before the Senate of the United States for such action, it may see fit to take on the premises.

The resolution was adopted

On motion of Mr Washburn the Special Message from the Governor referring to claims of citizens growing out of the Scott County border, was referred to the Committee on Ways and Means to report by bill or otherwise

On motion of Mr Minor the rules were suspended and he reported as follows from the Committee on the Judiciary

S B 12

Mr Speaker. The Committee on Judiciary have had under consideration S B 12 An act Entitled "An act to restore to the Arkansas Institute for the Blind money erroneously paid into the State Treasury"

The Committee direct me to report a Substitute for said bill, which is herewith submitted and recommend that said Substitute pass

Substitute for S.B. No 12 being

H.B. No 299. An act Entitled an act to restore to the Arkansas Institute for the Blind money Erroneously paid into the State Treasury

Which was read the first time

Mr Brewer assented to his name

On motion of Mr Fraser the rules were suspended

H B # 299 Suspended and H B No 299 was ordered to
be Made Special order for Wednesday next
at 12 Oclock M. in Committee of the Whole

On motion of Mr Owens the rules were suspended
H J R # 2 and Mr Owens introduced H J R No 2
A proposed amendment to Sec 3 no of Article
three to the Constitution of the State
which was read the first time
and On motion of Mr McDonnell referred
to the Joint Committee on Constitutional Amend-
ments.

Mr Slippin asked leave and moved a Sus-
pension of the rules for the purpose of
allowing the Chairman of the Committee
on the Judiciary to report upon H B # 118

Mr Archer moved to amend that Rules be
Suspended for the purposes of allowing
Standing Committees to report
which was agreed to

H B # 118 Mr Handy from the Judiciary Committee
reported upon H B No 118. Recommending
the passage of a substitute accompanying
the report. The Substitute being
H B # 300 H. B. No 300. An act to be entitled. An act
Substitute for H B # 118 to amend Section Four Thousand and
Ninety Eight of Gantts Digest
which was read the first time
The rules were suspended and the Sub-
stitute being H B No 300 was read a second time
and enacting Clause
On motion of Mr Quarles the title to the
bill was amended by inserting the word
"State" therein
The amendment was read the first time
and the rules were suspended and the amendment
read a second time and the bill ordered
engrossed and Made Special order for
Wednesday next at 11. Oclock A. M.

H B # 296 Mr Handy from the same Committee
reported upon H. B. No 296 recommending
passage of same

Mr Berry from the Committee on Engrossed

HBt 870 297 Bills reported H Bs No 870 297 Correctly Engrossed

HBt 98 Mr Hanly from the Committee on Indiciary reports upon HB No 98 recommending that it do not pass

HBt 26 The same reports from the same Committee HB No. 26 with the same recommendation

HBt 278 Mr Keith from the Committee on Public Expenditure reports upon HBt 278 recommending that it do not pass

HBt 174 Mr Cunningham from the Committee on the Judiciary reports upon HB No 174 recommending that it do not pass

HBt 51 He also reports upon HB No 51. recommending the following amendment viz That the word Administrator be inserted between the words "Executor" and "or" in the 2nd Sub division of Section (5) five and with the ammendment recommended passage

The ammendment was read the first time and on motion the rules were suspended and the amendment read a second time and adopted

Mr Daw from the Committee on County lines reported upon HB No 126 Recommending that it do not pass HBt 126

Mr Blackwood from the Committee on Claims reports HBills No 261. & 167 Recommending passage of both bills HBt 261 & 167

Mr Weir from the Committee on Roads and Highways reports HB. No 210 with the following amendment: insert the in the 12th line the word flat before the word "boats" and as amended recommend its passage

The ammendment was read the first time and the Bills suspended and ammendment read a second time and adopted HBt 210

And on further motion the bill was made Special order for Thursday next after the Reading of the Journal

H B^t 179 He also reported H B No 179, recommending that it do pass and
On Motion the bill was made Special order for Wednesday next at 10 o'clock a m

H B^t 249 Also H B No 249 recommending that it do pass

Mr Bannister from the Committee on Insane asylum reported as follows
Mr Speaker

Your Committee, to whom was referred
H B^t 68 H B No 68 would respectfully report that they have had the same under Consideration and herewith return the bill with a recommendation that it do pass, with the following Amendments
1st. Strike out "Pulaski", wherever it occurs in the bill
2d. Insert the following in Article 10 after Section 18

Sec. 19. Shall advertise and receive bids or proposals for the Construction and furnishing said Hospital, and shall have power to erect, furnish and manage said Hospital. The contract for building and furnishing said Hospital shall be let to the lowest responsible bidder, with good and sufficient bond as security for the faithful observance of the terms of the Contract

3d. A sum not exceeding Seventy Five Thousand Dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated for the use of said Trustees in purchasing or erecting the necessary buildings for said Institution and organizing the same, to be drawn from the Treasury only upon the warrant of the Auditor of State, by order of the Trustees of said Institution and upon the requisition of the Governor

4th To meet the current Quarterly expenses of the hospital the board of Trustees shall make a written application to the Governor, stating the amount required for that purpose and the Governor shall issue his requisition on the Auditor, who shall thereupon issue his warrant on the Treasurer in favor of the Trustees of the Hospital for the Insane, or such person or persons as the Trustees may appoint. And the sum of Twelve Thousand five hundred dollars ($12500.00) for the above purposes: Provided, said amounts together with the Salaries, including all expenses shall not exceed the above named amount.

The Amendment Rules the Just then and

On Motion of Mr Murphy the rules were suspended and the Bill (HB 68) with the amendment read a second time and adopted. Ans

On further Motion of Mr Pindall 200 Copies were ordered printed and Bill made Special order for Wednesday next at 10:30 Oclock A.M. in Committee of the Whole

HB 196 Mr Walker from Committee of Ways and Means reports HB No 196 recommending that it pass

On Mo of Mr McComas it was made Special order for Thursday next at 10:30 Oclock A.M. in Committee of the Whole

HB 263 Mr Hare from Committee on the Judiciary reports HB No 263 recommending that it do pass

On Motion of Mr Brown of Lee the rules were suspended and bill read a second time and upon a further suspension of the rules the bill was read a third time.

The question then being
Shall the bill pass
the Clerk called the Roll
the following members
voted in the affirmative Messrs Archer, Askew,
Barker, Blyth of Boone, Blackwood, Bobo, Braly
Brewer, Brinkley, Britt Brown of Lee, Brown
of White, Bumpass, Burke, Byrnes, Cantu, Chick,
Coody, Cruthmore, Cunningham, Davidson of
Pike, Davidson of Sand, Dawson, Daniel,
Dickinson, Felton, Griffin, Groom, Gillam,
Hamby, Hare, Harrison, Holder,
Holifield, Holmes, Hudson, Jameson, Jordan
Joyce, Keith, Kemp, King, Lee of Ninth,
Lora, Martin, Maxwell, McConnell,
McCracken, McMurtrey, Mills of Conway,
Minor, Montgomery, Moore, Morris of Cashe,
Morris of Stone, Murphy, Orton, Payne,
Pinder, Quigley, Riddick, Simmons,
Stubblefield, Stubblefield, Tate, Thomas, Turner, Tyson
Walker of Washington, Warner, Woodruff
Weir, Williams and Mr Speaker 75

In the affirmative 75
In the negative none
absent & not voting 18
93

So the bill (HB No 263) passed

Mr Archer from the Committee on Cities and
HB #251 Towns reported HB No 250 recommending
that it do not pass

Mr Shippen from the Committee on Agriculture
HB #246 reported HB No 46 recommending that
it do pass with the ~~following~~ pending amendment

HB # 150 Also HB No 150 recommending that
it pass

Mr Coody from the Committee on Circuit and
SJR # 55 Justices Courts reported SJR No 55 recom-
mending that it do not pass

H. Bills 54, 205 & 294

Also House Bills Nos 154, 205 and 294 with a Substitute recommending the passage of the Substitute

Mr Substitute being
H.B. No 301. An Act for a Bill to amend
H.B. 301. Section 3673 of Gantts Digest
as for above
which was read the first time

H.B. 11
H.B. 107

Also S.B. No. 11. and H.B. No 107. Recommending the passage of S.B. No 11. and rejection of H.B. No 107

H.B. 272

Also a Majority report from said Committee upon H.B. No 272 recommending passage

H.B. 224

Also a Majority report from same Committee upon H.B. No 224. recommending passage of same

Mr Bompass from the same Committee submitted a Majority report upon H.B. No 122. which and is as follows

H.B. 122

Mr Speaker

Your Committee to whom was referred H.B. No 122 beg leave to say that after a careful Consideration of said Bill, and in view of the fact that many of the J.P.'s of Arkansas are acting blindly and ignorantly thereby causing Extended litigation and unlimited & unnecessary Costs to litigants as well as malfeasance and misfeasance of Justices & Constables in office; And further in view of the fact that Gantts Digest at the close of this General Assembly will be already out of date as the Statutes of Arkansas by Auditor Hill Ends ready a Digest of Laws, existing to date we therefore make majority report and hearthily recommend that said Bill do pass Respectfully

Bompass
Richardson
Conway
Bobo

Mr Coody on the part of the minority reports as follows Mr Speaker

H B 122 — A Minority of said Committee on Circuit and Probate Courts to whom was referred H B No 122 An act to appropriate Five Thousand Four Hundred Dollars to buy Eighteen hundred Copies of Arkansas Justice from Miss Duffy & Co would respectfully submit a Minority report against said Bill and recommend that the same do not pass

Coady
Britt
Harris

H Bills #103, 101 & 211 — Mr Davidson of Sharp from the Committee on County and Probate Courts reported H B Nos 161, 103 & 211 recommending that the said bills pass

H B 178 — Mr Bobo from the Committee on Public Health made the following report Mr Speaker

Your Committee to whom was referred H B No 178 have had the same under consideration and herewith return the same with the following amendment, that the substitute attached thereto be inserted instead of Section one; And that the second Section of said act be amended by inserting between the words "and" and "Company" "person or" and when so amended do recommend that said bill do pass

The substitute for Section one recommended by the Committee is as follows, to wit;

Be it enacted by the General Assembly of the State of Arkansas:

Sec 1. That the City Councils of Cities of the first class shall have power to regulate the manner, place and time for the slaughtering of Animals for human food within their corporate limits and to license any person or corporation to slaughter such animals to the exclusion of all others persons or corporations.

Provided; That such cities shall never

never discriminate between persons applying for license, but shall grant licenses to all that apply therefor upon the same terms. And shall never fix any particular day or time to issue licenses to the exclusion of any other day or time

The amendment was read the first time

Mr Dayley was excused for absence

HB 203 Mr Neil from the Committee on Roads and Highways reports HB 203 Recommending that it do not pass

Mr Joyce moved a reconsideration of the action had by the House on yesterday in the contested case of Montgomery v. Sinnott

Mr Murphy gave notice that he will move a reconsideration of the action had by the House on yesterday in the case of Rylee v. Maynard

HB 87 H.B. No 87. being next in the civil Order On motion of Mr Warden of Washington the Bill was read a third time

The question then being Shall the Bill pass

The Clerk called the Roll

The following members voted in the affirmative Messrs Archer, Askew, Barnett, Barton, Bobo, Brady, Brinkley, Britt, Brown of Lee, Brumbaugh, Bruce, Church, Cunningham, Davidson of Pike, Davidson of Izard, Dawson, Dooley, Dorman, Doyle, Fulton, Gladden, Greening, Hanley, Hare, Holden, Horsefield, Holmes, Hudson, Johnson, Keck, Kenyon, Lee of Howard, Lee of Newton, Martin, Maynard, McCracken, Minor, Montgomery, Moore, Morris of Clay, Murphy, Owens, Payne, Pindall, Quarles, Riddick, Simmons, Steel, Stubbs, Tate, Turner, Tyson, Walker of Washington, Warren, Weir, Mr. Evans and Mr Speaker 56

In the negative Mess Black of Randolph, Brewer, Blackwood, Burns, Cates, Crockmore, Dettmer, Flippin, Jordan, Joyner, Kemp, McCormick, Mc Murray, Phillips of Conway, Parnell and Washburn 16.

In the affirmative	56
In the Negative	16
Absent and not Voting	21
	93

So the bill (H.B. No 87) passed
The Speaker announced Mess Bobo & Lee of Hunter members of the Committee on Elections to file reasons & Messy & Mis announced from the Senate Mr Duffey the assistant Secretary appeared and read as follows.

Senate Chamber Feby 22nd 1879

Mr Speaker

I am instructed by the Senate to inform your honorable body of the passage of H.B. No 28 An act to reduce the outstanding liabilities of the State and therewith respectfully return the same

Lon J. Kretzschmar
Secretary

On motion of Mr Mann of Washington the House at 1.05 P.M adjourned

John G. Howard
Clerk

J. S. Bearden
Speaker

House of Representatives

Little Rock, Arkansas
Monday February 24th 1879

The House met pursuant to adjournment at 9 oclock A. M.

The Clerk called the Roll

The following members answered to their names Mess Archey, Aslen, Barnett, Blue of Boone, Black of Randolph, Bobo, Brady, Brinkley, Britt, Brown of Lee, Brown of White, Brumpass, Burke, Burns, Carter, Cheek, Cody Creekmore, Cunningham, Davidson of Thurston, Davidson of Izard, Dawson, Dewley, Felton, Fishback, Gaylor, Fraser, Furbush, Gillam, Hanly, Hare, Harrison, Hobson, Holden, Hollifield, Holmes, Hudson, Jamison, Jordan Joyner, Keith, Kemp, Knight of Howard, Lee of Newton, Lockwood, Love, Martin McDonald, McLaughlin, McMurtrey, Miller of Clark, Minor, Montgomery, Moore, Morris of Carroll, Morris of Stone, Owen, Payne, Pinkard, Rawles, Riddick, Richardson, Roden Simmons, Slack, Stubbs, Tate, Thomas, Turner, Tyson, Walker of Washington, Wann, Washburn, Weir, Williams, Wright and Mr Speaker

A quorum present

On motion the Committee appointed to visit the various places to report for a suitable location for an Insane Asylum was allowed to retire for the purpose of consultation

Prayer by the chaplain Revd Mr Dye

Mr Berry was granted further leave of absence until to morrow.

Mr Gillam moved that Mr Murphy be added to the Committee on Claims

The House upon a division being called for by a rising vote of 13 ayes to 26 nays refused to adopt the motion

Mr Creekmore moved for a suspension of the rules that he might call up H.B. #37

SB# 37

which was not agreed to.

On motion of Mr Mann of Washington Mr Tyson was excused from further service on the Committee on Elections.

S.B. #50 The Special order for this hour being S.B. No 50.

Mr Purdue from the Committee on Railroads reported as follows

Mr Speaker

Your Committee on Railroads to whom was referred S.B. No 50. have had the same under Consideration and report the same and all the amendments thereto back to the House and recommend the passage of the bill with the amendment striking out the County of Sebastian the County of Johnson and that part of Franklin County situated South of the Arkansas River as adopted by the House. Hereby to report a Substitute herewith returned for the amendment offered by the gentleman from Crawford (Mr Creekmore)

The Substitute for the amendment offered by Mr Creekmore is as follows. All of Mr Creekmore's amendment Substituting the following per Section 5.

"That this act shall take effect and be in force sixty days after the passage thereof. and for sixty days all said lands shall be subject to donation, sale or redemption under existing laws. Providing that the privilege of donating, purchasing or redeeming said lands shall be confined to persons holding or claiming said Lands under a color of Title, or to donating or purchasing tracts not exceeding one quarter of fractional quarter Section to any one person and during said term of sixty days, said Lands shall be restored to their Net and subject to redemption or donation as aforesaid or to sale in tracts of quarter Section or less as aforesaid in as full and ample a manner as if said lands had not been withdrawn from market under the provisions of the act of Decbr. 9. 1875.

The amendment was read the first time and on Motion the rules were suspended

and the amendment read a second time and adopted. and

On further motion the bill was made Special order for to morrow morning immediately after the Consideration of H.B. No 115.

HB 95 On motion of Mr Cunningham the rules were Suspended and H.B. No 95 taken up. and read a second time and Upon a further Suspension of the rules the Bill was read a third time

H.B. No 60 and 207 Mr Jameson from the Committee on Enrolled Bills reported H.B. Nos 60 and 207 correctly Enrolled, properly Signed and delivered to the Governor

The Speaker announced the hour having arrived for the Consideration of Special order H.B. No 207. and

HB 95 On motion of Mr Cunningham action thereon was deferred until after the disposition of H.B No 95

The question then being shall H.B No. 95 pass,

The Clerk called the Roll when the following members voted in the affirmative Miss Archer, Askew, Barnett, Black of Boone, Black of Randolph, Bobo, Brady, Brinkley, Britt, Brown of Lee, Brown of White, Brumbaugh, Burke, Burns, Cantin, Chesshir, Cooley, Cunningham, Davidson of Sharp, Davidson of Izard, Dawson, Dewey, Dickinson, Felton, Fishback, Flippin, Forbush, Handy, Hare, Hobson, Holder, Horsfield, Holmes, Jameson, Jordan, Joyner, Keith, Kenyon, King, Levy of Garland, Levy of Newton, Lundell, Middleton, Mahan, Martin, McConnell, McCracken, McMurtrey, Miller of Clark, Minor, Mondy, Gowery, Moore, Morris of Carroll, Morris of Stone, Owen, Payne, Pindall, Quarles, Reddick, Richardson, Simmons, Steel, Straden, Tate, Thomas, Turner, Tyson, Vance of Washington, Vance, Washburn, Weir, Wilkins, Wright and Mr Speaker 73

Mess Creekmore, Fraser and Murphy voted in the Negative 3

Mess Gillam, Harrison and Rodman were excused from voting 3

In the affirmative 75
In the Negative 3
Excused from voting 3
absent and not voting 14
93

So the bill (H.B No 95) passed

A Message was announced from the Governor

Genl Somerville the Private Secretary to the Governor appeared and read as follows

State of Arkansas
Executive Office
Little Rock Feb 22d 1879.

To the Speaker of the House of Representatives
Mr Speaker

I have approved and signed

H.J.M.t 2. H. J. M. 2. Memorial to Congress, urging the appointment of a Commission of three Colored men to inquire into the intellectual condition of the colored people of the Southern States &c

W. R. Miller
Governor

On motion of Mr Dishaco Special order H.B.t 297, H.B No 297 was further deferred and under a suspension of rules Mr Dish, back introduced

H.B.t 302 H.B No 302. A bill to be entitled "An act making appropriations for the benefit of the Arkansas Industrial University" which was read the first time and on motion referred to the Committee on Ways and Means

Special order H.B No 297 was now taken up and read a third time The question then being, Shall the bill

H.B.t 297 (H.B No 297) pass, The clerk called the Roll the following members voted in the affirmative Mess Archer, Askew, Black of Boone, Black of Randolph, Bobo, Brady, Brinkley, Brett,

Brown of Lee, Brown of White, Burns, Carter, Cheek, Coody, Creekmore, Cunningham, Davidson of Stanly, Davidson of Yadkin, Dunn, Dunlap, Dickinson, Felton, Fishback, Giffin, Fraser, Furbush, Gillam, Hanby, Harrison, Hudson, Holden, Hatchfield, Holmes, Jonas, Jordan, Joyner, Keith, Kemp, King, Lee of Howard, Lee of Newton, Lowdermilk, Martin, McConnell, McCracken, McSwain, Miller of Clark, Minor, Montgomery, Moore, Morris of Currie, Morris of Stone, Ogden, Page, Pinnell, Randle, Richardson, Roden, Simmons, Steel, Stubbs, Tate, Thomas, Turner, Tyson, Walker of Washington, Warren, Washburn, Weir, Williams, Wright and Mr Speaker

95

In the affirmative - 95
In the negative None
Absent and not voting 18.

So the bill (H.B. No 297) passed

Mr Joyner called up the contested election Case of Montgomery vs. Simmons and moved a reconsideration of the action had by the House in the premises

Called out of order

Mr Joyner thereupon appealed from the decision of the Chair; which being sustained, and called for the ayes and noes; which was sustained

The question then being shall the decision of the Chair be sustained

The Clerk called the Roll

When the following members voted in the affirmative Messrs Archer, Askew, Barnett, Black of Beaufort, Black of Randolph, Boles, Boraby, Brown of Lee, Brown of White, Burns, Burrus, Carter, Cheek, Coody, Creekmore, Cunningham, Davidson of Stanly, Dunn, Dunlap, Dickinson, Felton, Fishback, Giffin, Gillam, Hanby, Harrison, Hudson, Holden, Hatchfield, Holmes, Jordan, Keith, Kemp, King, Lee of Howard, Lee of Newton,

Herdon, Hurd, Martin, McCamman, McCracken, McMurtray, Minor, Moore, Morris of Carroll, Morris of Stone, Owen, Payne, Quarles, Riddick, Richardson, Roberts, Simmons, Steel, Stubbs, Tate, Turner, Tyson, Walker of Washington, Wamsley, Washburn, Weir, Williams and Wyatt. 66.

In the negative Messrs Brinkley, Britt, Burch, Joiner, and Thomas 5.

Excused from voting Mr Montgomery, and Mr Speaker 2.

In the affirmative 66.
In the negative 5.
Excused 2
Absent and not voting 20
93

So the decision of the Chair was sustained

The next thing in order being
HB No 143
Mr Stubbs in accordance
with the rules expressed by the Committee
on the Judiciary introduced a substitute
bill
HB 303 HB No 303. A bill for an act to be
Sub for 143 entitled An act to reduce the salaries
of the officers of the Executive and Judicial
Departments of the State Government and
to reduce the mileage and per diem
of the members of the General Assembly.
Which was read the first time and
On motion of Mr Henry the rules were
suspended and the bill read a second
time and
On motion of Mr Stubbs the House
went into a Committee of the Whole for
the purpose of considering the bill
Mrr Brady in the Chair.

The House after having some time spent
in Committee of the Whole rose, and
reported bill back to the House with the
amendments recommending that the

Bill as amended do pass

The Speaker resumed the Chair

Mr Brady Chairman of the Committee of the whole reported H.B No 393 back to the House recommending that the Bill as amended do pass.

The amendment to Sec 1. recommending the striking out of the words "and not more" was on motion of Mr Stubbs' rejected.

Mr Washburn moved to amend Sec 4. by striking out the words "and five hundred"

which was agreed to

Mr Fishenden moved to amend to strike out in the first section $2000 and insert $2500 and called for the ayes and nays which being sustained

The Clerk called the Roll

When the following members gave in the affirmative Messrs Barker, Black of Bowen, Bradwood, Brinkley, Brito, Brown of White, Burns, Carter, Chuck, Cruikshank, Dudley, Felton, Fishenden, Gilpin, Fraser, Gillam, Jordan, Joyce, Keith, Kemp, Lowe, McConnell, Millar of Comox, Montgomery, Morris of Carrall, Owens, Payne, Stutt, Stubbs, Thomas, Washburn, and Williams 33.

In the negative Messrs Archer, Barnett, Black of Cariboo, Bole, Brady, Brown of Esquimalt, Cowley, Cunningham, Davidson of Skeena, Davidson of Grand, Dawson, Dickinson, Forbush, Fleming, Hanby, Hare, Harrison, Hebden, Holden, Kenfield, Hollins, Hudson, Jackson, King, Leeson, Macdonald, McBride, McGregor, McMurray, Millar of Clarke, Munro, Moore, Morris of Stone, Pidcock, Rivers, Reid dson, Richardson, Rodgers, Simmons, Sato, Smith, Tyson, Wade of Cariboo, Wade of Nicola, Wells, Wright and Mr Speaker 48.

So the motion to amend was lost

Mr Fishback moved to amend Section 8th by adding the following

"Provided that in no event shall the Salary of the Governor be increased either directly or indirectly by appropriations for his personal or household Expenses or for rent of Mansion or in any other manner"

The amendment was read the first time and the rules were suspended and the amendment read a second time.

Mr Fishback moves the adoption of the amendment and called for the ayes and noes; Which being ordered

The Clerk called the Roll

The following members voted in the affirmative Mess Archer, Askew, Barnett, Barker, Black of Boone, Blackwood, Bobo, Brickey, Britt, Brown of White, Burns, Curtis, Cheek, Cody, Creekmore, Davidson of Hardy, Davidson of Izard, Dunlap, Felton, Fishback, Gipson, Fraser, Gillam, Greening, Hardy, Hare, Harrison, Holder, Horsefield, Holmes, Jordan, Joyner, Keith, Kench, King, Lee of Howard, Lindermilk, Love, Martin, McConnell, McCracken, Milloway Conway, Moore, Morris of Cleburne, O'Neal, Payne, Riddick, Richardson, Roden, Stitt, Stubs, Tate, Timms, Tyson, Wilson of Washington, Washburn, Weir, and Williams 56.

In the negative Mess Black of Randolph, Brady, Brown of Lee, Bumpass, Cunningham, Dawson, Dickerson, Furbush, Hobson, Hudson, Jamieson, McMurtrey, Miller of Clarke, Mimms, Montgomery, Morris of Stone, Pindall, Quinlan, Simmons, Wann, Wright and Mr Speaker 22.

So the amendment was adopted

Mr Stubbs moved to amend Section 8th by striking out $5 and insert in lieu thereof $24 Each

Mr McCracken moved to amend the amendment by providing that the amendment offered by Mr Fishback to Sec 8 should also apply to members of the present General Assembly.

and called for the ayes and nays
which was sustained
The Clerk called the roll
When the following members voted in
the affirmative Mess Archer, Black of Bowie,
Black of Randolph, Church, Greenwood, Dawson,
Dunlap, Gullett, Harlan, Hartfield, Hemphill,
Irving, Lewis, Martin, McCracken, Miller of
Clark, Minor, Pinckney, Riddick, Steele,
Stubbs, Warren, Weir 25

In the negative Mess Aiken, Barnett,
Burks, Bobo, Brown of Lee, Brown of White,
Bumpass, Burns, Curtis, Coody, Davidson
of Sharp, Davidson of Izard, Dickinson,
Fletcher, Fishback, Hilpin, Fraser, Furbeck,
Greening, Henry, Harrison, Hobson, Holmes,
Hudson, Jamison, Jordan, Joyner, Keith
Lee of Howard, Linebarger, McCormick,
McMurtrey, Miller of Conway, Montgomery,
Moore, Morris of Stone, Owens, Payne,
Quarles, Richardson, Rodgers, Simmons,
Tate, Turner, Tyson, Washburn, Wells,
Evans, Wright and Mr Speaker

So the amendment to the amendment was lost

Mr Black of Randolph moved to amend
the amendment of Mr Stubbs by
making it $3 instead of $4
which was not agreed to.

On Motion of Mr Stubbs the bill was ordered
Engrossed and made Special order
for to morrow morning at 9 o'clock
On motion of Mr Fishback The House
at 1 o'clock P. M. adjourned

J. S. Beardon
Speaker

John G. Holland
Clerk

House of Representatives

Little Rock, Arkansas
Tuesday Feby 26th 1879

The House met pursuant to adjournment at 9 O'clock A. M.

The Clerk called the Roll

The following members answered to their names:
Mess Archer, Askew, Barnett, Banks, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Braly, Britt, Brown of Lee, Brown of White, Brumpass, Burke, Burns, Carter, Cluck, Conway, Coody, Creekmore, Cunningham, Davidson of Pope, Davidson of Izard, Dawson, Dudley, Dickinson, Fetter, Fishback, Griffin, Frazer, Furbush, Gillum, Greening, Haney, Hare, Harrison, Holden, Hollifield, Holmes, Hudson, Jordan, Jones, Kirk, Kemp, King, Lee of Howard, Lee of Newton, Lorance, Mills, Love, Mack, Maynard, Martin, McDonnell, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Mimms, Montgomery, Moore, Morris of Carroll, Morris of Stone, Owen, Pindall, Rudder, Riddick, Richardson, Roden, Simmons, Slack, Stubbs, Tate, Thomas, Turner, Tyson, Mayor of Washington, Warren, Washburn, Weir, Williams, Wright and Mr Speaker

a Quorum present

Rev'd Mr Dye the Chaplain offered prayer

Mr Jamison was excused for absence

The Speaker appointed Mr Lorance on the Special Committee on Elections in place of Mr Tyson excused

Mr Braly from the Committee on Engrossed bills reported H.B. No 115. correctly engrossed

H.B. No 115 — H.B No 115 being Special order for this hour On motion of Mr Pindall the Bill was read a third time

Mr Thomas moved the previous question; which

being sustained
The question then being on the
main question
Shall the Bill pass
The Clerk called the Roll
When the following members
voted in the affirmative Mess Aiken, Barnes,
Barlow, Braly, Britt, Burke, Conway, Cumings
Dunn, Hanson, Dickinson, Felton, Fishback,
Fraser, Furbush, Gilman, Greeley, Hanly,
Hare, Hobson, Hudson, Keith, Lord, Maynard,
McConnell, McMurtrey, Miller of Cumb.
Montgomery - Moore, Owen, Payne, Pindar,
Quimby, Riddeck, Irvin, Tyson, Warren of
Washington, Wing, Wadsworth, Williams
and Mr Speaker 40.

In the Negative Mess Archer, Berry, Black
of Oxford, Black of Randolph, Blackwood, Bodge,
Brown of Lee, Brown of White, Bumpus, Burns,
Cutts, Chick, Coody, Crosmore, Davidson of
Hancock, Davidson of Grand, Dunbey, Hilpin,
Harriman, Holden, Holdridge, Holmes, Jordan,
Kemp, King, Lee of Howard, Lee of Newton,
Lordenmilk, Mank, Martin, McCracken,
Miller of Conway, Minor, Morris of Carroll,
Morris of Linn, Rodney, Simmons, Stud, Studley,
Soto, Thomas and Wright 42

In the affirmative 40
In the Negative 42
Absent and not voting 11
93
So the Bill (H.B No 110) failed to pass.

Mr Fishback gave notice that he will
move a reconsideration of the vote
just had

A Message was announced from the
Senate
Mr Sutherly its Assistant Secretary
appeared and read as follows

Senate Chamber Feby 25th 1879
Mr Speaker
I am instructed by the Senate
to inform your honorable body of the passage of

S.B. 47 — S.B. No. 47 Substitute for S.B. No. 36 — A bill to be entitled "An act to abolish the office of Adjutant General and for other purposes"

Also

S.B. 125 — S.B. No 125. A bill to be entitled "An act to authorize the County Court of Benton County & the Judge thereof in vacation to sell or barter the interest bearing State Scrip in the Treasury of said County for the interest bearing County Warrants of said County and for other purposes"

and thereon the respectfully transmit the same for your favorable consideration

Don C. Kretschmar
Secretary.

H. Bills #1114-303 — Mr Brady from the Committee on Engrossed Bills reported House Bills Nos 111. and 303. Correctly Engrossed.

Upon leave granted, Mr Stanley reported from the Judiciary Committee upon S.B. No 142 recommending that so much of the bill as refers to the abolishing of the office of the Commissioner of State Lands be stricken out; and as to the office of the Superintendent of Public instruction; they make no recommendation

The next Special Order being

S. B. 50 — S.B. No 50

On motion of Mr Walker of Washington the bill was read a third time
The question then being Shall the bill pass
The Clerk called the Roll

When the following members voted in the affirmative Messrs: Archer, Askew, Barnett, Burton, Berry, Black of Boone, Blackwood, Brady, Britt, Brownrigg Lee, Burks, Carter, Chick, Conway, Cruikshank, Cumming, Dunn, Davidson of Clark, Dawson, Denley, Dickinson, Felton, Fishback, Griffin, Gurbush, Gilliam, Greening, Hanly, Hare, Harrison, Hobson, Hoke, Holmes, Hudson, Joyner, Keith, King, Lindamood, Love, Maxwell, McCormick, McMurtrey, Miller of Clark, Montgomery, Moore, Morris of Carroll, Owens

Payne, Pinsall, Quarles, Riddick, Stuart, Turner, Tyson, Walker of Washington, Wickham, Wood, Williams and Mr Speaker 58.

In the negative Mess Black of Randolph, Bobo, Brown of White, Bumpass, Burns, Cooley, Davidson of Yancey, Fraser, Holcombe, Jordan, Kemp, Lee of Newton, Meade, Martin, McCracken, Miller of Conway, Minor, Morris of Stone, Simmons, Stubbs, Tate Thomas and Warren 28

In the affirmative 58
In the negative 28
absent and not voting 12
90
So the bill (S.B. No 30) passed

Mr Burleson moved that Mess Minor and Bobo be added to the Special Committee appointed to investigate the charge of bribery and

on their own motion were excused from serving on said Committee.

On motion of Mr Conway Mr Stuart was appointed on said Committee

1873. 303 The next Special Order being S.B. No 303 on which on motion of Mr Shipp was read a third time

The question then being
Shall the bill pass
The Clerk called the Roll
The following members voted in the affirmative Mess Archer, Askew, Barnett, Barley, Black of Boone, Black of Randolph, Bobo, Braly, Britt, Brown of White, Bumpass, Burke, Burns, Carter, Cluck, Conway, Cooley, Creekmore, Davidson of Stark, Davidson of Yancey, Dawson, Dudley, Dickinson, Felton, Fishback, Shipp, Fraser, Furbush, Gillum, Greening, Hardy, Hart, Harrison, Hobson, Holden, Hopkins, Hudson,

Jordan, Joyce, Keith, Kemp, King, Lee of Hereford Lee of Newton, McDermitt, Love, Mack, Mawhinney Martin, McConnell, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Stone, Orem, Pritchard, Riddick, Richardson, Rodelin, Simmons, Stell, Stubbs, Tate Thomas, Trout, Tyson, Waller of Washington, Warren, Washburn, Weir, Williams and Mr Speaker 76.

Messrs Barry, Blackwood, Montgomery, Morris of Cirroe and Querles voted in the negative 5

In the affirmative 76
In the negative 6.
absent and not voting 11
93

So the Bill (H.B No 303) passed

On motion of Mr Brite Mr Brinkley was excused for to day.

H.B# 147 On motion of Mr Stubbs the rules were suspended and H.B. No 47 taken up and read the first time and

H.B# 142 On further motion H.B No 47 together with H.B No 142 were made Special order for to morrow morning immediately after the reading of the Journal

House Bill No 111 being next Special Order

Mr Montgomery moved that the Special order be superseded and moved a suspension of the rules that he might introduce a bill.

Which was agreed to and

H.B# 304 Under a suspension of the rules Mr Montgomery introduced H.B. No 304. A bill for an act to be entitled "An act to extend the time for the redemption of forfeited lands

Which was read the first time.

The Special Order N.B. No 111 was again
deferred and Under assumption of the same
leave was granted Mr Conway to intro-
duce N.B No 305. An act to amend an act
to provide for filling vacancies occurring
in the office of Constable"
Which was read the first time
Mr Dayton answered to his name

N.B. 305

N.B. 111 Special Order N.B No 111 was then taken
up and
On motion of Mr Mann of Clarke the
bill was read a third time
The question then being Shall the bill
pass
The Clerk called the Roll.
When the following members voted in
the affirmative Mess Aiken, Barnett,
Garsch, Barry, Black of Bruce, Black of Renfrew,
Brebo, Bray, Brite, Brown of Lennox, Brown of
White, Bristle, Carter, Clark, Conway, David
son of Hastings, Denison, Dunlop, Dickinson,
Delong, Fishback, Flipping, Forbush, Gil-
lies, Gregory, Hagerty, Harrison, Hobson,
Holden, Holmfield, Holmes, Hudson, Jordan,
Joyner, Keith, Kemp, King, Lee of Hastings
Lee of Newton, Lindsmith, Love, Maxwell,
Martin, McConnell, McCracken, McMurtry,
Mills of Clarke, Mills of Conway, Munro,
Moore, Morris of Carroll, Morris of Stone,
Orans, Pindell, Riddick, Richardson,
Simmons, Steel, Huber, Dayton, Thomas, Timms,
Trotter, Wade of Washington, Wann, Weir,
Williams and Mr Speaker 69

In the Negative Mess Archer Burns, Coady,
Davidson of Shurp, Fraser, Montgomery
and Payne 7.

In the affirmative 69
In the Negative 7
Absent and not voting 14

So the bill (N.B. No 111) passed

Mr Fraser sent to the Clerk desk the following
Conway explanation

Mr Speaker

I would be willing to vote for this bill and to give the people of Clarke County the relief which they seek to obtain through the operation of this act, but I am satisfied that the bill is clearly in violation of Art 3. Sec 1. of the Constitution of this State, and therefore vote no.

HB# 211

On motion of Mr Burton the rules were suspended and HB No 211 taken up and read a second time and

upon a further suspension of the rules the bill was read a third time

The question then being

Shall the bill (HB 211) pass

The clerk called the roll

When the following members voted in the affirmative, viz: Mrs Archer, Askew, Barnett, Barton, Barry, Bloch of Byrne, Bloch of Randolph, Blackwood, Bobo, Brady, Britt, Brown of White, Burns, Cantrell, Cheek, Conway, Coody, Greenway, Gordon of Sharp, Gresham of Grant, Gurley, Hickman, Fetner, Hisaw, Hipp, Fraser, Furbush, Gillam, Greening, Hanly, Harrison, Hoben, Holden, Holt, Hood, Holmes, Hudson, Jordan, Joyner, Keith, Kemp, King, Lee of Howard, Lorden, Mills, Love, Mauney, Martin, McConnell, McCracken, McMurray, Miller of Clark, Miller of Conway, Milner, Moore, Morris of Cornelius, Morris of Stone, Owen, Pindall, Quarles, Riddick, Richardson, Simmons, Steel, Stubbs, Sawyer, Thomas, Turner, Tyson, Ward of Washington, Warren, Weir, Williams, Wright and Mr Speaker 74

In the affirmative 74
In the negative none
Absent and not voting 19
So the bill (HB No 211) passed

HB# 23

Upon a further suspension of the rules Mr McDonnell called up HB No 23

which was read a second time and
Made Special order for Friday next
immediately after the reading of the
Journal

Under a suspension of the rules.
Leave was granted Mr Harrison to in-
troduce

HB#306 HB No 306: An act to be entitled
"An act to establish the County of Tilden
and for other purposes"
Which was read the first time and
Referred to the Committee on Counties and County lines

Mr Pindall moved that rules be further
suspended that he might introduce
a bill

Mr McConnue moved an amendment
that rules be suspended for one hour
for the purpose of introducing Bills
Which was agreed to

HB#307 Mr Pindall thereupon introduced HB#307
a bill to be entitled An act to settle the
debt due from the State of Illinois
to G.L. Jordan and D.A. Reynolds, and the
debt due to her from them
Which was read the first time and
Referred to the Committee on Ways and Means.

HB#308 Mr Conway introduced HB No 308.
A bill for an act to be entitled "An act
for the relief of persons holding County
warrants in certain cases"
Which was read the first time and
Referred to the Committee on County and Probate Court

HB#309 Mr Jordan introduced HB No 309 "An act
to abridge and regulate the criminal proce-
dure in certain cases, and to curtail
and lessen the costs in misdemeanors
in the Circuit Courts in the State of Illinois"
Which was read the first time and
Referred to the Committee on the Judiciary

HB# 310 Mr Andrew introduced HB No 310.
"A bill to be entitled "An act to promote
Agriculture
Which was read the first time and
Referred to the Committee on Agriculture

HB# 311 Also HB No 311 A bill to be entitled
"An act to change the name of Jersey County
to that of "Marks, and for other purposes"
Which was read the first time and
Referred to the Committee on Counties & County lines

HB# 312 Mr Burke introduced HB No 312
A bill to be entitled "An act to amend
act, entitled 'an act to prevent stock
from running at large in Pulaski
and Counties of Lee and Phillips" ap-
proved Dec 15th 1875
Which was read the first time and
Referred to the Committee on ~~Agriculture~~
Immigration

HJM# 9 Mr Irwin introduced HJM No 9. Asking
Congress for a grant of land &c
Which was read the first time and
Referred to the Committee on General Relations

HB# 313 Mr Morris of Stone introduced HB No 313
A bill for An act to repeal Sections 1, 2,
~~and~~ 3 and 4 of an act entitled "An act to
regulate the licensing of Drum Shops
approved May 20th 1879 and for other purposes
Which was read the first time and
Referred to the Committee on County & Probate Courts

HB# 314 Mr Williams introduced HB No 314.
A bill for an act to make the Treasurer
of Each County of this State ex-officio
Collector of the Revenue of this State and
to fix the Compensation therefor;
Which was read the first time and
Referred to the Committee on Retrenchment

~~HB# 315~~ Mr Barry introduced HB. No 315. An act

to amend an act, entitled an act establishing a Court of Common Pleas in the Counties therein mentioned" approved December 14th 1875"
which was read the first time and Referred to the Committee on Circuit & Judicial Dist

HB #316 Also H B No 316. An act to regulate the charges of sleeping Cars"
which was read the first time and Referred to the Committee on Railroads.

HB #317 Also H. B. No 317. "An act to change the names of Garland and Hot Springs Counties"
which was read the first time and Referred to the Committee on Citi! and Corp

HB #318 Mr Dickinson introduced HB No 318. A bill to be entitled "An act for the relief of delinquent tax payers and for other purposes"
which was read the first time and Referred to the Committee on the Judiciary

On motion of Mr Morris of Howe The House at 12 4 0 M adjourned

J. S. Bearden
Speaker

John G. Hallaard
Clerk

House of Representatives

Little Rock, Arkansas
Wednesday Feby 26. 1879

The House met pursuant to adjournment at 9 Oclock A. M.

The Clerk called the Roll
The following members answered to their names Archer, Askew Barnett, Barton, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Bracy, Bonté, Brown of Lee Brown of White, Burtle, Burrow, Carter, Church, Cody Creekmore, Cumming Dan, Davidson of Clark, Davidson of Izard, Dewoody, Dickinson, Felter, Fishback, Hickman, Fraser, Furbush, Gilland, Gramling, Hailey, Hare, Harrison, Holden, Holcomb, Holmes, Hudson, Jamison Jordan, Joyner, Keith, Kemp, Kinyon, Lee of Howard, Lee of Newton, Lenderman, Little Mack, Maynard, Martin, McCormick, Mc Cracken, McMurtrey, Mellody, Monk, Mann of Conway, Nunn, Norby Cooney, Moore, Morris of Carroll, Morris of Stone, Owens, Payne, Pindall, Purdy, Quarles, Ridenhour, Richardson, Rodden, Simmons, Sims, Stubbs, Tate, Taylor, Thomas, Turner, Trotter, Mann of Washington, Mann, Washburn, Weir, Wil, Williams, Wright and Mr Speaker

a quorum present

Revd Mr Dye offered prayer

On motion of Mr Fraser leave of absence was granted Mr Davidson of Clark until Monday next

Mr Maynard was granted leave of absence for to day

The Journal of yesterdays proceedings was read and there being no objection the same was approved and signed by the Speaker and Clerk of the House

Mr Wright from the Committee on Retrenchment

H. B. 181. was granted leave to report upon H.B. No 181

The report was as follows
Mr Speaker

Your Committee on Retrenchment to whom was referred H.B. No 181. have had the same under consideration and have instructed me to report the same back to the House with the following amendment that Sec 5. be so amended as to read as follows.

Sec 3. That Section 5. of said act be amended so as to Read as follows: That all lands, town and City lots which now appear on the Records of the Office of Commissioner of State Lands as being forfeited to the State for the non-payment of taxes or which may hereafter be forfeited and which remain undisposed of shall be thereafter sold in the same manner as provided for in Sections One and two of this act. for the sale of other lands and lots and the Commissioner of State Lands, shall in like manner sell such lands, Provided, that the Counties, towns and cities in which such lots are situated, shall be entitled to the Common and City taxes so paid into the Treasury, and the Counties in which such lands are situated shall be entitled to 60% of all monies arising from the sale thereof; and the Committee recommend that the Bill as amended do pass

The amendment was read the first time and on motion the rules were suspended and the bill and amendment read a second time and adopted and made Special order for Friday next. 10:30 o'clk

On motion of Mr Simmons Special order H.B. No 49 was deferred and H.B. No. 160. Taken up and

Under a Suspension of the rules H.B. No 160 was read a second time.

Mr Simmons moved the following amendment: Add to end of Sec 4. the following. "And this act shall take effect and be in

(Jeroe Jones and after its passage)
The amendment was read the first time and
Rules were suspended and the Amendment
read a second time and adopted

Mr Hudson moved an amendment that
Section one and the first Clause of Section
three barring reference to certain Sections
of Land in the County of Jefferson
and the word "Jefferson" in the title of the
bill be stricken out.

The ayes and noes
being called for and ordained.
The Clerk called the Roll

The following Members voted in the
affirmative Messrs Brown of White, Burns,
Cunningham, Dewberry, Hudson, Kinney,
Montgomery, Murphy, Payne 9.

In the Negative Messrs Archer, Baker, Barnett,
Barton, Barry, Black of Boone, Black of
Randolph, Blackwood, Bobo, Brady,
Brite, Brown of Lee, Burns, Carter, Chuck
Cook, Davidson of Bond, Dettmer, Dick,
Diehl, Diffee, Gilbert, Greenup, Harrison,
Holden, Hollifield, Holmes, Jordan, Journ,
Keith, Kemp, Lee of Monroe, Lee of Morton,
Lovelace, Mack, Martin, McCracken,
McMurtrey, Miller of Clark, Miller of Conway,
Minier, Moore, Morris of Carroll, Morris of the
Ozarks, Prince, Purdy, Quarles, Riddick,
Richardson, Rodes, Simmons, Stubbs, Tate,
Taylor, Thomas, Tipton, Troy, Turner, Nash,
Wilson, Weir, Wright and Mr Speaker 62

Messrs Dickinson, Lowe, McConnell, Nuckols of
Washington and Williams were excused 5.

So the motion to strike out was not agreed to

Messrs. Conway and Hudson answered to their names

Mr Prince moved the following Amendment
to H R No 160

See That the Clerk of the Cir-
cuit Court of Decker County shall procure
well bound books for said purpose and
proceed to the County Seat of Lincoln County

and make complete Transcripts of all deeds, Conveyances, Mortgages or other instruments of writing relating to lands situated in that part of Lincoln County, transferred by this act to Deshu County, and also an abstract of all such deeds, Conveyances, mortgages and instrument of writing & personal property and if necessary, to get Complete Abstracts. Said Clerk shall proceed to the County Seat of Matthews County for the same purpose and said Clerk of said County of Lincoln and Matthews shall afford the Clerk of Deshu County all reasonable privilege and facilities to obtain a Complete Transcript of said records, and the costs of said Transcript shall be shared and collected from the property situated in that part of the County so attached to Deshu County by the provisions of this act.

Sec. That the Clerk of Deshu County be allowed the sum of two cents per hundred words for copying said Records, to be assessed against the property Embraced in said part so cut off and Collected as the proportion of Lincoln County debt and collected under the provisions of this act

The amendment was read the first time

The question was on the adoption of the Rules

The amendment was read a second time and made Special order for to morrow morning at 10. Oclock

HB# 115. Mr Dishback moved a reconsideration of the vote had upon H.B. No 115.

Mr Murphy answered to his name

Upon leave granted Mr Dickinson withdrew a suspension of the rules had this day on Dickinson called up House Bills Nos 245 and 241 and

HB# 245. H.B. No 245 was taken up first and was a second time

The rules were further suspended and the bill (HB No 245) read a third time

The question then being
Shall the bill pass.
The clerk called the Roll
When the following members voted in the affirmative Messrs Archer, Askew, Barnett, Black of Boone, Black of Randolph, Blackwood, Bobo, Brady, Britt, Brown of Lee, Brown of White, Burke, Burns, Curtis, Childs, Conway, Coody, Creekmore, Cunningham, Davidson of Izard, Denby, Dickinson, Felker, Hilliard, Fraser, Furbush, Gilmore, Greening, Haney, Hare, ~~Harrison~~, Hoban, Holder, Holifield, Hudson, Jameson, Jordan, Joyner, Keith, Kenyon, Kerr, Lee of Howard, Lee of Newton, Lendermilk, Lowe, Mack, Martin, McConnell, McElmurrey, Miller of Clark, Miller of Conway, Minor, Moore, Morris of Carroll, Morris of Stone, Murphy, Owens, Payne, Rhodes, Priddy, Quarles, Riddick, Richardson, Roebuck, Simmons, Steele, Stubbs, Suite, Taylor, Turner, Tyson, Walker of Washington, Warren, Weir, Williams, Wright and Mr Speaker 76

In the affirmative 76
In the negative none
Present and not voting 27
93
So the bill (HB No 245) passed

HB# 241 HB No 241, was next taken up and
Under a discussion of the rules the bill was
read a second time and
Upon a further suspension of the rules
The bill was read a third time.
The question then being
Shall the Bill (HB No 241) pass.
The clerk called the Roll
When the following members voted
in the affirmative Messrs. Askew, Barnett,
Burris, Burns, Black of Boone, Blackwood,
Bobo, Brinkley, Britt, Brown of Lee, Brown of
White, Burris, Curtis, Childs, Conway, Coody,

Creamer, Davidson of Izard, Dickinson, Felton, Fishback, Griffin, Hardeck, Greening, Hanly, Hare, Harrison, Hobson, Horton, Hotchkiss, Hudson, Jamison, Jordan, Joyner, Keith, Kemp, King, Lee of Howard, Lewis, Mills, Love, Mack, Martin, McConnell, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Montgomery, Moore, Morris of Carroll, Morris of Stone, Murphy, Orr, Owens, Payne, Pindall, Priddy, Quarles, Ridenhour, Rorex, Simmons, Steel, Stuart, Tate, Taylor, Turner, Tyson, Walker of Washington, Wann, Weir, Williams, Wright and Mr Speaker 76

In the negative Mess Archer, Brady, Hendley, Fraser, Gillam & Lee of Newton. 6.

Mr Holmes was excused from voting. 1.

In the affirmative	76
In the Negative	6
Excused from voting	1
Absent and not voting	10
	93

On the Bill (H B No 244) passed Mr Creed from the Committee on Enrolled Bills reported H B No 73. Correctly Enrolled

On motion of Mr Creed the Special Order for this hour H.B. No 49 was postponed and

H B 125 H.B. No 125. Taken up and under a suspension of the rules the bill was read the first time and the rules further suspended and read a second time and made Special Order for to morrow morning at 11 30 Oclock.

Mr Harrison presented a petition which on his motion was referred to the Special Committee on Insurance

A like petition was presented by Mr Thomas and referred to the same Committee

Mr Conway presented a Memorial which on his motion was referred to the Committee on Memorials

Special Order S.B. No 47 was now taken
S.B. 47. up. S.B. No 47 was then read a third time
The question now being
Shall the bill pass
The Clerk called the Roll
When the following members
voted in the affirmative Mess Archer,
Ashley, Barnett, Burton, Buzzy, Black of
Boone, Black of Randolph, Bobo, Brady,
Brown of White, Burns, Curtis, Cheek, Cox,
Gray, Crosby, Dickinson, Cunningham
Davidson of Izard, Dunlap, Fellers, Fish,
Gaek, Gipson, Fraser, Gilcrease, Hanly,
Hare, Hobson, Holden, Hudson, Jamison,
Jordan, Joyce, Keith, Kemp, King, Lee
of Howard, Lorddenmilk, Love, Martin,
McCommas, McCracken, McMurtray, Miller
of Clark, Miller of Conway, Minor, Moore,
Morris of Carroll, Morris of Stone, Neely,
Riddick, Richardson, Steele, Stubbs, Tate,
Taylor, Thomas, Turner, Tyson, Wann,
Washburn, Weir, Williams and Mr
Speaker 63

In the Negative Mess Blackwood, Brown
of Lee, Bruce, Furbush, Montgomery,
Pinson and Quarles 7.

In the affirmative 63
In the Negative 7
Absent and not voting 23
93

So the bill (S.B. No 47) passed

The next Special Order being
N.B. 142 H.B. No 142
Mr Stubbs moved to strike out Section
1.
Mr Dickson moved to indefinitely post
pone the bill

During which A Message was announced
from the Governor
Genl Pomeroy the Private
Secretary to the Governor appeared and read

as follows.

State of Arkansas
Executive office
Little Rock Feb 26. 1879

To the Speaker of the House of Representatives
Mr Speaker

I have this day approved and signed the following bills
H.B no "An act to reduce the outstanding Liabilities of the State
H.B. 207. An act to prohibit the sale or giving away of ardent Spirits within three miles of the Evening Shade College
W.R. Miller
Governor

H.B 142 The question recurring on the motion of Mr Slippin to indefinitely postpone H.B. No 142.

Mr Barnett moved the previous question ~~which was sustained~~ upon which Mr Jarman called for the ayes and nays

The Clerk called the Roll

The following members voted in the affirmative Messrs Archer, Barnett, Burton, Carry, Blocks of Boone, Blackwood, Brady, Brown of Lee, Brumpass, Curtis, Conway, Crosby, Slippin, Fleming, Haney, Hare, Hobson, Holder, Hodgkins, Hutchison, Jamison, Jones, King, Lee of Howard, Lee of Newton, Lowe, McMurtrey, Mills of Clark, Murphy, Orrell, Riddick, Richardson, Rodgers, Simmons, Taylor Thomas, Tyson, Vann, Weinland Mr Speaker 40

In the negative Messrs Archer, Blocks of Randolph, Bolen, Brown of White, Burke, Byrnes, Church, Cleburne, Cunningham, Dunaway, Dunn, Feltner, Fishback, Graves, Harbert, Gill, Lamb, Holmes, Jordan, Keith, Kemp, Kerr, Mack, Martin, McCommas

Mr. Cracken, Mullins of Conway, Montgomery, Moore, Morris of Carroll, Morris of Stone, Payne, Pidcock, Priddy, Quarles, Reid, Stubbs, Tate, Timmons, Walker of Washington, Washburn, and Williams 41

So the previous question was not Ordered.

The question then recurring on the motion to indefinitely postpone

The ayes and noes were again called for and Instrumed

The Clerk called the Roll

When the following members voted in the affirmative Mess. Aiken, Barnett, Barton, Barry, Blackwood, Brown of Lee, Brown of White, Burke, Carter, Connelly, Cody, Creekmore, Cunningham, Dishough, Dipprin, Fraser, Furbush, Gilliam, Greening, Hardy, Hare, Hobson, Holder, Hudson, Jameson, Lee of Howard, Lee of Newton, Muldrow, Mullins of Clark, Montgomery, Murphy, Payne, Pidcock, Quarles, Riddick, Richardson, Taylor, Thomas, Tyson, Washburn, Weir and Mr Speaker 42

In the Negative Mess Archer, Black of Boone, Black of Randolph, Bobo, Brady, Burris, Davidson of Grant, Dewitt, Fletcher, Harrison, Hatfield, Hawkins, Jordan, Joyner, Kuck, Kemp, King, Kinderman, Lowe, Mack, Martin, McConnell, McCracken, Mullins of Conway, Mercer, Moore, Morris of Carroll, Morris of Stone, Owens, Priddy, Rodgers, Timmons, Reid, Stubbs, Terry, Walker of Washington, Warren, and Williams 38

So the Motion to indefinitely postpone was agreed to

Mr Stubbs gave notice that he will move a reconsideration of the vote just had.

Mr Conway moved that N.B. 468 Special orders for today be deferred until to morrow morning after the reading of the Journal which

The House by a rising vote of 44 ayes to 29 Nays agreed to adjn

On motion of Mr Broom of Lee the House at 12 20 P.M. adjourned

John G. Holland
Clerk

J. S. Bearden
Speaker

House of Representatives
Little Rock Arkansas
Thursday Feby 27. 1879

The House met pursuant to adjournment at 9. Oclock A.M.

The Clerk called the Roll The following members answered to their names Mess Archer, Askew, Barnett, Burkett, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Bruce, Brewer, Brinkley, Britt, Brown of Lee, Brown of White, Brumpass, Burke, Byrne, Carter, Cheek, Coody, Cockrom, Cunningham, Davidson of Izard, Dawson, Dearing, Felter, Fishback, Giffin, Fraser, Furbush, Gilland, Greening, Haney, Hare Harrison, Haldin, Holcomb, Holmes, Hudson, Jamieson, Jordan, Jones, Keith, Kemp, King, Lee of Howard, Lee of Newton, Lindsey, Mills, Lowe, Mack, Martin, McCormick, McCracken, Miller of Clark, Miller of Conway, Minor, Montgomery, Moore, Morris of Carroll, Morris of Stone, Owens, Payne, Pindall, Priddy, Quarles, Richardson, Rodgers, Smith, Sims, Steel, Stubbs, Tate, Snyder, Thomas, Turner, Tyson, Walker of Columbia, Walker of Washington, Wamack, Washburn, Weir, Williams, Wright and Mr Speaker a quorum present

Revd Mr Dye offered prayer

A Message was announced from the Senate

Mr Doherty the Assistant Secretary appeared and read as follows

Senate Chamber
Feby 27 1879

Mr Speaker

I am instructed by the Senate to inform your honorable body of the passage of S.B. No 56. a substitute for SB 28 Also for an act to be entitled "An act to authorize and empower the City Council of Cities of the First

S.B. 56

Class to require an occupation license"

Also

H.B. No 103 An act entitled An act to legalize and Confirm the assessment, levy and Collection of the taxes of Logan County for the years 1877 & 8.

H.B. 103

Also

H.B. No. 110. a Substitute for H.B. No 43. A bill to be entitled "An act to enable the County Courts of the several Counties of the State to use certain monies that may be in the Treasuries of the respective Counties"

H.B. 110

Also

H.B. No. 138 A bill to be entitled An act to amend Section 2. of an act Entitled an act to alter the 5th 7th & 8th Judicial Circuits of the State of Arkansas and to create the 12th Judicial Circuit and to fix the times of holding Courts in the Counties composing said Circuits" and herewith transmit the same for your favorable consideration

H.B. 138

Also

H.B. No 284 An act to Extend further time for the collection of Taxes on the Tax Books of Carroll County for 1878 until the first day of September 1879"

H.B. 284

Also

H.B. No 17 A bill for an act to be entitled An act declaring the Court of common Pleas of the Counties of Conway and Faulkner and disposing of all actions & proceedings pending therein" with the following amendment viz: add the County of Mississippi

H.B. 17

Also

H.B. No 283 A bill to be entitled An act to amend An act Entitled An act for the benefit of the Pleasant Ridge Academy in Bradley County Approved June 10. 1869.

H.B. 283

I am also instructed to inform your honorable body of the rejection of H.B. No 16 An act to change the boundary lines between Baxter and Izard Counties, and herewith respectfully return the same

Lou D. Kretschmar
Secretary

Messrs Conway, Haben, Maynard, McMurtrey, Murphy and Riddick answered to their names

The Clerk read the Journal of yesterdays proceedings and there being no objection the same was approved and signed by the Speaker and Clerk of the House

On motion of Mr Williams the Special Orders set for this morning were deferred that he might call up H.B. No 224 and Under a Suspension of the rules

H.B. 224 H.B. No 224 was taken up and read a second and third time

Mr Richardson moved to amend the bill by inserting the words "Excepting gaming"

which was not agreed to

The rules were again suspended and the Bill read a third time

Mr Barker moved the previous question which being Ordered

The question being: Shall the bill (H.B No 224) pass,

The Clerk called the Roll

The following members voted in the affirmative Mess Askew, Barry, Black of Boone, Brown of White, Campos, Burns, Curtis, Chick, Cobdy, Crumbaker, Burdette of Izard, Harrison, Hensley, Fetner, Fish, Gaeke, Gilpin, Glover, Gathing, Hinkle, Holden, Hudson, Jordan, Keith, Kemp, King, Lee of Newton, Lendermon, McComas, McCracken, McMurtrey, Miller of Conway, Montgomery, Morris of Carroll, Sayre, Priddy, Pate, Sayler, Thomas, Turner, Walker of Washington, Washburn and Williams H.

In the Negative Mess Archer, Barker, Black of Randolph, Blackwood, Bobo, Brady, Brewer, Brinkley, Bond, Brown of Lee, Bourke, Conway, Cunningham, Gillam, Hanley, Hare, Harrison, Hobson, Hopkins, Holmes, Jamison, Joyner, Lee of Howard, Lowe, Mack, Mildenhall, Martin, Miller of Clark, Minor, Moore, Morris of Izard, Murphy, Orsens, Pindall, Quarles, Riddick, Richardson, Rodgers, Simmons, Steel, Stubblefield, Tyson, Walker of Columbia, Warren, Wright

and Mr Speaker

In the affirmative 41
In the negative 46
absent and not rating 6
93

So the Bill (H.B No 224) failed to pass

Mr Dawson sent to the clerks desk the following explanation of his vote

"On this bill I vote "aye" and for reasons I here to day in explanation that, I am of the opinion that, by extending the Jurisdiction of Justices of the Peace in civil cases less to the people as well as the Counties to prosecute and punish crime before them than before Grand Juries and as the law requires the prosecuting attorney to prosecute all cases where the State is a party before Justices of the Peace as well as the Circuit Courts and receive the same fees for the services done and believing and Extended Jurisdiction of Justices of the Peace and a faithful performance of duty by the District Attorneys would save a large amount to the General Counties by not giving the General Grand Juries so much to do and preventing large and useless sessions, I vote aye"

Mr Williams gave notice that he would move a reconsideration of the vote just had

H.B 115 Mr Blackwood moved that the vote heretofore had upon H.B. No 115 be now taken upon and reconsidered.

Mr Dale moved to table the motion to reconsider and upon that motion the Ayes and Noes were called for; Which being ordered

The Clerk called the Roll
The following members voted in the affirmative Messrs Black of Boone, Black of Randolph, Bobo, Brown of White, Bumpass, Carter, Chick, Coody, Davidson of Izard, Dewby, Fellers

Hippin, Harrison, Holden, Hornfield, Holmes, Kemp, King, Lee of Newton, Lordsmith, Mack, Martin, McCracken, Mills of Conway, Minor, Morris of Carroll, Morris of Stone, Stubbs, Tate, Turnbull and Wright 31.

In the negative Mess Archer, Asher, Barnett, Barton, Berry, Blackwood, Brady, Brewer, Brinkley, Britt, Brown of Lee, Burke, Burns, Conway, Cruikshire, Dawson, Fishback, Fraser, Furbush, Garland, Greening, Hamby, Hare, Hobson, Hudson, Jamison, Jordan, Joyner, Keith, Lee of Howard, Love, ~~Mack~~ Manning, McCormick, McMurtrey, Miller of Clark, Mont-gomery, Moore, Murphy, Owens, Payne, Pindall, Priddy, Rawlins, Riddick, Richard-son, Rodgers, Simmons, Stitt, Taylor, Tyson, Vance of Columbia, Vance of Washington, Warren, Washburn, Weir, Williams and Mr Speaker — 57.

So the Motion to table was not agreed to

A Message was announced from the Governor Mr Gobin the Private Secretary to the Governor appeared and read as follows.

State of Arkansas
Executive office
Little Rock Feb 27th 1879

To the Speaker of the House of Representatives
Mr Speaker

I have this day approved and signed

H.B. 60. An act to repeal Sec, tions 937, 938, 939, 944, 945, 946, 947, 948, 949 and 4576 of Gantts Digest, and for other purposes

H.B. 60

W.R. Miller
Governor

The question occurring
Shall the rule upon H.B No 115 be reconsidered

Mr Brady moved the previous question which was ordered, and the main question being put and carried and thereby Re-considered

The question then recurring upon the passage of the Bill (H.B. No 115)

Pending which

By unanimous consent On motion of Mr Lee of Hancock The House at 12 24 P.M took recess until 2 oclock P.M.

After Recess
at 2 oClock P.M:

The Clerk called the Roll

The following members answered to their names Messrs Archer, Askew, Barnett, Barton, Barry, Black of Boone, Black of Randolph, Blackwood, Boles, Braly, Brewer, Britt, Brown of White, Brumbaugh, Burke, Burns, Carter, Chick, Conway, Cooley, Creekmore, Cunningham, Duredeu of Shelby, Duriden of Izard, Durrett, Dunlap, Dutton, Fishback, Griffin, Grover, Gresham, Gillam, Greene, Hanly, Hare, Harrison, Hobson, Holder, Hollifield, Holmes, Hudson, Jameson, Jordan, Joyner, Keith, King, King, Lee of Howard, Lee of Merton, Lindsey, Mack, Lowe, Mack, Maynard, Martin, McConnell, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Minor Montgomery, Moore, Morris of Cayuse, Morris of Stone, Murphy, Owens, Payne, Pindall, Priddy, Arnold Riddick, Richardson, Roden, Simmons, Slaty Stubbs, Tate, Taylor, Thomas, Turner, Tyson, Walker of Columbia, Walker of Washington, Warren, Washburn, Weir, Williams, Wright and Mr Speaker

a quorum present

Mr Archer was granted leave and moved that H.B No 97 be returned to the Committee on the Judiciary which was agreed to

H B # 97

Mr Brinkley answered to his name

The question being on the passage of H.B. No 115.

H B # 115

Mr Richardson moved the previous question which was ordered

The question then being shall the Bill pass

The Clerk called the Roll The following members voted in the affirmative, viz: Mess Archer, Ashley, Barnett, Bolton, Barry, Blackwood, Bray, Brewer, Brinkley Britt, Burke, Burns, Conroy, Cunningham, Darrow, Dewey, Fishback, Furbush, Gee, Lum, Gunning, Hanly, Hare, Hobson, Hudson, Jackson, Joyner, Keith, Lee of Harnett, Lee of Martin, Love, Maynard, McCormick, McMurtry, Miller of Clark Montgomery, Moore, Murphy, Owen, Payne, Snoden, Pridgen, Purnell, Riddick, Richardson, Roden, Shirley, Taylor, Tyson, Walker of Columbus, Walker of Washington, Warren, Washburn, Williams, Wright and Mr Speaker 55.

In the Negative Black of Bruns, Black of Randolph, Bobo, Brown of Wilkes, Carter, Clark, Coody, Crumpler, Dawson of Pasq, Davidson of Dare, Dellinger, Gilbert, Harrison, Hardin, Hartsfield, Holmes, Jordan, Kuykendall, King, Lassiter, Mask, Martin, McCracken, Miller of Carteret, Minor, Morris of Currituck, Morris of Stokes, Stubbs, Tate, Thorne, and Tew 31.

In the affirmative 55
In the Negative 31
Absent and Not Voting 7

So the Bill (H.B. No 115) Passed

Mr Jordan sent the following as an Explanation of his vote

I vote "no" believing the bill if not contrary to the Constitution that it is Class legislation in favor of Monopolies against the interest of the laboring class of the people

Mr Kirby asks leave and moves a suspension of the rules for the purpose of calling up H.B. 286 Substitute for H.B. 286.

H.B. #286

The House by a vote of 15 yeas to 36 nays refused to suspend the rules

HB 210 HB No 210 being Special order for today was now taken up and On Motion of Mr Barker the bill was read a third time

The question then being Shall the bill pass

The Clerk calls the roll

The following members vote in the affirmative Messrs Archer, Askew, Barnett, Barker, Barry, Black of Boone, Black of Randolph, Brady, Brewer, Brinkley, Britt, Brown of White, Brumley, Burke, Burris, Carter, Conway, Cooley, Crenshaw, Cunningham, Davidson of Sharp, Davidson of Izard, Dawson, Dunlap, Dellinger, Gipson, Greening, Hardy, Hays, Hairgrove, Higgason, Holder, Horsefield, Holmes, Hudson, Jamerson, Jordan, Jackson, Keith, Kimbro, King, Lee of Newton, Lee of Crittenden, Mack, Mann, and, Martin, McConnell, McCracken, McMurtrey, Miller of Clark, Miller of Conway, Minor, Monkgomery, Moore, Morris of Cleburne, Morris of Stone, Mraz, Priddy, Quarles, Riddick, Rodgers, Simmons, Stuck, Stubbs, Tate, Tayler, Thomas, Trimm, Tyson, Walker of Columbia, Walker of Pulaski, Washburn, Weir, Williams and Mr Speaker 78

In the negative Mr Lowe 1.

In the affirmative 78
In the negative 1.
Absent and not voting 14
93

So the Bill (HB No 210) passed

Mr Davidson of Sharp was granted leave

SB 102 to take up SB No 102. and Moved a suspension of the rules the bill was read a third time

The question then being Shall the Bill (SB No 102) pass

The Ayes and the Nays

The following members voted in the

affirmative Messrs Archer, Askew, Barrett, Barry, Black of Boone, Black of Randolph, Cobb, Bray, Brazier, Brickell, Britt, Brown of White, Bumpass, Burke, Burns, Carter, Cheek, Conway, Coody, Crumpler, Davidson of Sharp, Davis of Davie, Dawson, Dunlap, Dockery, Dupree, Dixon, Dorsett, Gillam, Gunning, Hardy, Hare, Harrison, Holden, Holdford, Holmes, Hudson, Jamieson, Jordan, Joyner, Keith, Kemp, King, Lee of Martin, Love, Mack, Maxwell, Martin, McConnell, McCracken, McMurray, Miller of Clark, Mullen of Surry, Mund, Montgomery, Moore, Merrill of Carteret, Morris of Stanly, Orr, Purdy, Quarles, Riddick, Richardson, Rodgers, Simmons, Steel, Stubbs, Tate, Taylor, Thomas, Turner, Upson, Warren of Columbus, Ward of Washington, Watson, Wechsler, Weir, Williams and Mr Speaker

79.

In the affirmative 79
In the Negative None
Absent and Not voting 14
So the bill (HB No 102) Passed 93

HB #68. HB No 68. being next Special Order in Committee of the whole
the Speaker called Mr Brady to the Chair

After the House had spent a short time
~~Spent~~ in Committee of the whole
the Committee rose and the Speaker resuming the chair
The Chairman reported progress and
asked leave to sit again
which report was received

At the Hour of 4 2m Oclock P.M
The House on motion of Mr Tate
adjourned

John G. Holland
Clerk

J. D. Brawley
Speaker

House of Representatives
Little Rock, Arkansas
Friday February 28th 1879.

The House met pursuant to adjournment at 9 Oclock A. M

The Clerk called the Roll:
The following members answered to their names
Messrs Archer, Askew, Barnett, Barton, Berry,
Black of Boone, Black of Randolph, Blackwood,
Bobo, Brady, Brewer, Brinkley, Britt, Brown
of Lee, Brown of White, Brumpass, Burke, Burnes
& Carter, Chick, Conway, Cooley, Cochrane,
Cunningham, Davidson of Sharp, Davidson
of Izard, Dawson, Dunlap, Felton, Fishback,
Gilpin, Fraser, Furbush, Gillam, Greening,
Haley, Hare, Harrison, Hoben, Hocott,
Hollifield, Holmes, Hudson, Jamison,
Jordan, Joyner, Keith, Kirk, King, Lee
of Howard, Lee of Perry, Lindamood,
Love, Mack, Maynard, Martin, McCain,
Conner, McCracken, McMurtry, Miller
of Clark, Miller of Conway, Minor, Monk,
Gowery, Moore, Morris of Carroll, Morris
of Stone, Owens, Payne, Pearce, Priddy,
Rawles, Riddick, Richardson, Roberts,
Simmons, Stanley, Stark, Stubbs, Tate, Taylor,
Thomas, Timms, Tyson, Walker of Columbia,
Walker of Washington, Warner, Washburn,
Weir, Williams, Wright and Mr Speaker
a quorum present

Revd Mr Rye the Chaplain of the House
offered prayer

The Journal of yesterdays proceedings
was read and there being no objection the Journal
was approved and signed by the Speaker and
Clerk of the House

On motion leave was granted Mr Walker
of Washington to report from the Committee
on Ways and Means upon certain bills
referred to said Committee.
The reports are as follows; to wit

Mr Speaker

H.B. 69 The Committee on Ways and Means to whom was referred H.B. No 69 "A bill to be entitled "An act to reduce Taxes" approved March 9th 1877 together with a petition from various citizens of Franklin County beg leave to report that they have considered the same and instructed me to report the bill and petition to the House and recommend that both Bill and petition be indefinitely postponed

On motion the report was adopted

Mr Walker of Washington from the same Committee reported upon H.B. No 322 as follows.

Mr Speaker

The Committee on Ways and Means to whom was referred H.B. No 322 an act to protect the Public Revenue from the fraudulent acts of County officials and other persons beg leave to report that the same has been carefully considered and regard the original bill as imperfect and instruct me to report a substitute therefor with a recommendation that it pass

H.B. 319 Sub for H.B. 322 The Substitute being H.B. No 319. A bill to be entitled "An act to protect the Public Revenue from the fraudulent act of County officials and other persons ~~which~~ was read the first time and

On motion of Mr Brewer the rules were suspended and the bill read a second time and made Special Order for to morrow after the reading of the Journal

H.B. 282 Mr Walker of Washington from the same Committee reported upon H.B. No 282 with the following amendments viz:

Strike out the words "Public money" in the 4th line from the top of the 3rd page in the last Sub-division of the first section of the Bill and insert in lieu thereof "Fees, Emoluments &c aforesaid" and add to the end of the first section "And provided further that in counties having two County Seats the deputy Clerk stationed at one of the County Seats shall have the same Salary as his Principal"

And as amended Recommend passage
The amendments were read the first time
And
Upon a Suspension of the rules the Bill
and Amendments were read a Second
time and ~~the Amendments~~ adopted.

Mr Brady offered the following Amendment
Substitute for first Sub-division of
1st Section
"The Salary of the Sheriff for each
year for his Services as Sheriff and Collector
shall be the total amount of the receipts
of fees, Commissions &c of both such offices
in that year estimated and reduced
to fair value as aforesaid not to Exceed
the Sum of Two Thousand dollars ($2000.00)
Which was read the first time
And
On Motion the rules were Suspended and
the Substitute read a Second time and
adopted

Mr Brady offered an additional Section
to be inserted between Sections 6 and 4

Sec 9. Any officer who shall refuse or neg-
lect to keep a record, complying in all
particulars with the requirements of
this act, or who shall refuse access to said
record, within reasonable hours, to any
officer by law Entitled to inspect the same
or who shall neglect or refuse to make
returns as herein before provided, shall be
deemed guilty of a Malfeasance, and
upon conviction thereof, shall for each of-
fence, be fined in any sum not less than
one hundred dollars, and be removed
from office, And it is hereby made the duty
of each Judge of the County Court, Mayor
or other Chief officer, as the case may be, to
require and by any and all lawful means
Compel the proper officers to make returns
as herein before provided. The writ of Man-
damus shall be to compel the production to
the proper officer of the records and reports

herein prescribed. Any officer who shall knowingly and wilfully make a false return of the amount received or expended as aforesaid, shall be deemed guilty of a perjury, and upon Conviction shall suffer the pains and penalties by law affixed thereto.

Provided: That nothing herein Contained shall be construed to release the officer offending against the provisions of this act from any liability upon his official bond, to exempt him from the operation of the provisions of Section Seventy Seven (77) Article Seven (7) of the Constitution of the State, or to relieve him from prosecution and punishment for the crime of Embezzlement. and

Provided further: That it shall be the duty of Each Judge of the Circuit Courts to give the provisions of this act Specially in Charge to the Grand Jury at each term of the Circuit Court.

The amendment was read the first time On Motion the rules were suspended and the amendment read a second time and adopted.

Mr Irwin offered the following amendment
amend by Striking out that portion
of the bill which refers to par funds

which on Motion of Mr Fishback was rejected

Mr Stubbs offering the following amendment
Strike out "fifteen hundred" and insert
"two thousand dollars" in lieu thereof
Wherever the Salary of Circuit or County
Clerk appears in the bill"

The amendment was read the first time
and on Motion the rules were suspended
and the amendment read a second time

Mr Murphy answers to his name

Mr Jamison offers the following Amendment
Attached by requiring Sheriffs and Clerks to settle quarterly
instead of annually at Each regular term of the

County Court
Which amend must or moved the Constitution

And On motion of Mr Thomas the Bill and amendments were referred to the Committee on the Judiciary

On motion of Mr Walker of Washington the Special Order H B No 73 was deferred, and
Under a Proposition of the rules
Mr Moore from the Committee on Printing reported upon H B No 171. The report is as follows; to wit:
Mr Speaker

H B 73

H B 171

The Committee on Printing to whom was referred H.B. No. 171 beg leave to return the same with the recommendation that it do pass after striking out part of Section 2. & 66 which requires to charges for publishing all processes, orders or notices of Courts and all other advertisements required by law to be published in a newspaper.
On motion of Mr Bowie the Report was adopted and amendment

and on further motion of Mr Moore the rules were again suspended and the bill read a second time

Mr Walker of Washington moved that it be ordered Engrossed and made Special order for Tuesday next immediately after the reading of the Journal

Mr Mack moved to table the motion and Upon a division being called for & sustained The House by a vote of 35 yeas to 37 Nays refused to table

The question then recurring upon the motion to Engross and make Special order for Tuesday next after the reading of the Journal

Upon a division being again called for and sustained
The House by a vote of 45 yeas to 14 Nays adopted the motion

Upon a further suspension of the rules

H.B.#191

Mr Burke called up H.B No 191. and on his motion the bill was read a second time and

On motion of Mr Quarles ordered engrossed & it was made Special Order for Wednesday next immediately after the reading of the Journal

Mr Murphy rose to a question of privilege and moved that the Committee on Elections be instructed to report upon the Contested Election case of Ryles vs. Maimum

Which was not agreed to

On motion of Mr Miner the Special orders for today were deferred until after the Judiciary Committee shall have reported upon certain bills

Mr Miner thereupon reported upon H.B.#166 as follows

Mr Speaker

H.B.#766. Your Committee on Judiciary to whom was referred H.B.#766. beg leave to submit the following upon that they have considered the Bill and recommend its passage with the following amendments,

Section 1st amended as follows

1st Amendmt By inserting in the last line of said Section between the words "deemed" and "guilty" the words Prima facia

2d Amendmt Amend Section 2 by inserting "$100" in. stead of "500" and "200" instead "$1000 and "$2000" instead of $10,000 where the same occur in said Section.

3d Amendmt That Sec 2 be further amended as follows; "Provided: Nothing herein contained shall prevent any such Company or Corporation from temporarily reducing their rates or tariff of charges from point to which any petition shall exist in cases of unusual competition and such temporary reduction shall not be construed to be unjust discrimination"

That between Secs 7 and 8 a new section be added as follows.

4th Amendm't "Provided. That nothing in this act shall apply to any unfinished road until twelve months after it is open for business

The amendment were read the first time

Mr Coody moved to reject the 3d Amendment which was not agreed to

Under a Suspension of the Rules

The first amendment was then on motion of Mr Richardson read a second time and adopted

The second amendment was read a second time and adopted

The third amendment was read a second time and adopted.

The fourth amendment was read a second time and adopted.

Mr Mack offered the following amendment

Amend Sec 8. by adding the following

"Provided however; That in no case shall it be lawful for any such Rail road Company or Corporation in this State to exact or receive a sum in excess of 5 cents per mile for carrying any passenger in any such road in this State

which was read the first time and

On motion the rules were suspended and the amendment read a second time.

Mr Richardson moved that the amendment be rejected

Upon which motion the Ayes. and Noes were called for and ordered

The Clerk called the Roll

The following members voted in the affirmative Messrs Archer, Askew, Barnett, Barker, Barry, Blackwood, Bobo, Britt, Brown of Lee, Curtis, Cheek, Conroy, Cunningham, Durrance, Dawkins, Gillam, Glenning, Hainly, Hare

Harrison, Hobson, Holden, Holmes, Hudson, Jamison, Jordan, Joyner, Keith, Kenny, Lee of Hoke, Lewis, McDonald, McMurray, Miller of Clark, Minor, Montgomery, Owens, Payne, Pinder, Priddy, Rhodes, Riddick, Richardson, Roden, Simmons, Stanly, Steel, Turner, Tyson, Walker of Columbia, Ward, Washburn, Weir, Williams and Mr Speaker 55.

In the negative. Messrs Black of Randolph, Brady, Brown of White, Bumpass, Coody, Creasman, Davidson of Bruns, Felton, Fishback, Griffin, Fraser, Hollingsworth, Kemp, Lowdermilk, Mack, Martin, McCracken, Miller of Conway, Moore, Morris of Carroll, Morris of Stokes, Murphy, Stubbs and Thomas 24

So the motion to reject was agreed to

On motion of Mr Riddick the bill was ordered engrossed and made the special Order for Monday next at 9:30 o'clock P.M.

H.B. 195 Mr. Pinder from the Judiciary Committee reports upon H.B. No. 195 ~~recommending~~ ~~its passage~~ that there was no constitutional objection to its passage

A Message was announced from the Senate

Mr Bethune the Assistant Secretary appeared and read as follows.

Senate Chamber
Feby 28. 1874

Mr Speaker

I am instructed by the Senate to inform your honorable body of the passage of H.B. No. 136 = An act to revise the State Board of Finance and raise means to support the State Government and have with respect fully return the same

Don D. Brelsford, Secretary

H.B. 136

On motion of Mr Simmons the House at 12:24 o'clock P.M. took a recess until 2:30 o'clock P.M.

After Recess
at 2:30 O'clock P M

The Clerk called the Roll
The following members answered to their names
Mess Archer, Askew, Barry, Black of Boone, Black
of Randolph, Blackwood, Bobo, Bracy, Brown,
Britt, Brown of White, Bumpass, Burns, Carter,
Cheek, Conway, Coody, Cruikshank, Davidson
of Sharp, Davidson of Ouachita, Dawson, Dunlap,
Gathings, Fishback, Griffin, Fraser, Furbush,
Gillam, Greening, Hanley, Harrison, Hobson,
Holder, Holifield, Hudson, Jamieson, Jordan,
Joyce, Keith, Kemp, King, Lee of Richard,
Lee of Burton, Londermilk, Love, Mack,
Martin, McCommas, McCracken, McC,
Mistrey, Miller of Clark, Miller of Conway,
Miner, Montgomery, Moore, Morris of
Carroll, Morris of Izard, Murphy, Osborn
Joyce, Pindall, Brinkley, Quarles, Richardson,
Roberts, Simmons, Stanley, Tate, Taylor, Thomas,
Trimble, Tyson, Wann, Washburn, Weir,
Williams, Wright and Mr Speaker
a quorum present

Mess Barnett and Cunningham answered
to their names

On motion of Mr Tate indefinite leave
of absence was granted Mr Stubbs

Mr Brinkley was excused until to morrow.

The order of business being made a Spec.
Session of the rules for Judiciary
Committee to make reports

Mr Pindall from said Committee reported
upon H B No 116 as follows
Mr Speaker

Your Committee on the Judiciary
HB# 116 to whom was referred H B No 116 entitled
An act to establish Circuit Courts in Ouachita
County would respectfully report.
That the same is not a violation of any
provisions of the Constitution of Arkansas

and that the General Assembly has lawful authority to establish the Court therein as described.

Your Committee recommend the following amendment

Strike out the words "and County" where they appear in the first and thirteenth lines of the Second Section of the Bill, and insert in said lines between the words Circuit and Probate Court the word "and"

Also further to amend the Bill by adding to the 4th Section thereof the following words

"Nothing contained in this act shall be construed to affect, abridge or interfere with the Jurisdiction of the County Court of Mesha County as now vested by law.

The amendment was read the first time And On motion the Rules were suspended and the Bill and Amendments read a second time as amended and adopted And

On further motion the bill was ordered Engrossed and made Special Order for Thursday next after the reading of the Journal

H Bills Nos. 160, 181 & 300

Mr Brady from the Committee on Engrossed bills reported H.B Nos 160, 181 and 300 Correctly engrossed

H.B. 133

Mr Haney from the same Committee reported upon H.B No 133. recommending passage with the following amendment

Amend by adding at the End of the first section the following proviso; to wit:

Provided however: That said Note shall shall not be surrendered, as by this act is provided, until the makers thereof shall procure from the City of Philadelphia and file the same with the Secretary of State a release in writing of the State of Arkansas of all right which said City may have acquired to the property described and set forth in the

preamble to this act under the act of the Gen-
eral Assembly Approved April 7. 1869 here-
inbefore recited

The amendment was read the first time
and on motion of Mr Weir the rules were sus-
pended and the Bill and Amendment read a
second time, and Made Special order for
Tuesday next at 10 Oclock A. M.

Upon leave granted Mr Bobo he introduced
H.J.R. No. 25. calling for a Commitee of five to
frame Constitution

H.J.R. 25.

Which was read the first time and

On Motion of Mr Conway the rules were
suspended and the Resolution read a
second time

Mr. Conway moved that the Resolution be
so amended as to provide for a Committee
of fifteen consisting of Ten members from
the House and five from the Senate in-
stead of five.

Which amendment was agreed to
and read the first time

Mr Dawson moved the following as an
amendment. That the Commission to frame
a Constitution Shall Consist of 2 Members
from the State at Large; 1 from Each Judi-
cial Circuit and 1 from Each Congressional
District

Which was not agreed to

The rules were again suspended and the
Joint Resolution and Amendment read
a second time and adopted. And

On Motion of Mr Richardson the Resolution
as amended was referred to the Committee
on the Judiciary

H.B. 181

H.B. No 181 being Special order for to day
was on motion of Mr Moore taken up
and read a third time.

The question being then
Shall the Bill (H.B. No 181) pass

The Clerk called the Roll

The following members voted in the affirmative Mess Archer, Aiken, Barnett, Barry, Black of Randolph, Blackwood, Bobo, Britt, Brown of White Brumpass, Burns, Carter, Clark, Conway, Cody, Creekmore, Cunningham, Davidson of Bland, Dawson, Dunlap, Felton, Griffin, Fraser, Gilliam, Greening, Hanby, Harrison, Hobson Holden, Holmes, Johnson, Jordan, Keith, Kemp, King, Law of Howard, Law of Newton, Lowdermilk, Love, Mack, Martin, McCormick, McMurtrey, Miller of Clark, Miller, Montgomery, Moore, Morris of Carroll, Morris of Stone, Murphy, Owens, Payne Pindall, Priddy, Quilles, Richardson Rodney, Stanley, Tate, Terrill, Tyson, Wamble, Washburn, Williams, Wright and Mr Speaker 67.

In the affirmative 67
In the negative nine
Absent and not voting 26
93

So the Bill (H B No 181) passed

H B # 284 On motion of Mr Conway the rules were suspended and H B No 284 taken up which was read a second time and

On further suspension of the rules the bill was read a third time

The question then being
Shall the bill pass
The Clerk called the Roll
The following members voted in the affirmative Mess Archer, Aiken, Barnett, Barry, Black of Randolph, Blackwood Bobo, Brewer, Britt, Brown of White, Brumpass, Burns, Carter, Clark, Conway, Cody Creekmore, Cunningham, Davidson of Bland, Dawson, Deltrow, Griffin, Fraser, Gilliam Hanby, Harrison, Hobson, Holden, Holmes, Jamerson, Jordan, Keith, Kemp, King, Law of Howard, Law of Newton, Lowdermilk, Love, Mack, Martin, McCormick, McCracken, McMurtrey, Miller of Clark

Mills of Conway, Minor, Montgomery, Moore,
Morris of Carroll, Morris of Stone, Murphy
Owens, Perdue, Priddy, Quarles, Rodgers, Simms,
Stanley, Tate, Tyson, Wann, Washburn,
Williams, Wright and Mr Speaker 65.

In the affirmative 65
In the negative none
absent and not voting 28
93
So the Bill (HB No 2024) passed

The House called Mr Barry to the Chair

On motion of Mr Rodgers the rules were
suspended and H.B. No 99 taken
up and read the first time and
Upon a further suspension of the rules
the bill was read a second time.

SB# 99

Mr Bobo moved the following amendment
Add to the end of section one
"and provided that persons who live in
such corporations shall not be liable
to work on any public roads outside
thereof"
The amendment was read the first time
the rules were further suspended and the
amendment read a second time and
adopted

Mr Murphy moved the following Amendment
Amended: That Cities of the 1st Class be
exempt from the provisions of this act
which was not agreed to

On motion of Mr Barry the bill was
made Special order for Wednesday
next immediately after the reading of the Journal

SB# 11

On motion of Mr Bearden the rules were
suspended and H.B. No 11 taken up. And on
Motion the Bill HB No 11. was read a third
time. The question then being

Thus the Bill (H.B. No 11) was
the Clerk called the Roll

The following Members voted in the af-
firmative Mess Askew, Barnett, Barry, Black
of Boone, Black of Randolph, Blackwood,
Brewer, Brown of White, Brumpus, Carter, Cheek,
Conway, Cooley, Davidson of Bunc, Griffin,
Gunning, Hanley, Holden, Hollifield, Hudson,
Jameson, Jordan, Keith, Kenny, King, Lee
of Harnett, Lewis, Lowe, Martin, Mc
Donald, McCracken, McMurray, Miller of
Clarke, Miller of Cowden, Montgomery,
Moore, Morris of Carroll, Morris of Stone,
Owens, Payne, Pinnell, Priddy, Richardson,
Simmons, Stanley, Tate, Turner, Tyson,
Wen, Wright and Mr Speaker 51.

In the Negative Mess Arthur, Bobo, Britt,
Burns, Creasman, Cunningham, Dawson,
Dunlap, Felton, Fraser, Furbush, Gillam,
Harrison, Holmes, Joyner, Minor, Quarles,
Rodman, Steele, Warren and Washburn 21.

In the affirmative 51
In the Negative — 21
absent and not voting 21
93

So the Bill (H.B. No 11.) passed
The Speaker resumed the Chair

H.B. #17 On motion of Mr Minor the rules were
suspended and H.B No 17 taken up
and the Senate amendment including
the County of Mississippi ~~County~~ in the
operations of the bill
was read the first time and
upon further motion the rules were again
suspended and the amendment read
a second time and made Special Order
for to morrow morning at 11. Oclock

H.B. #199 On motion of Mr Tate the rules were
suspended and H.B No 199. read a
second time and

On further motion the House at 5 to Oclock
P.M. took a recess until 7:30 Oclock P.M.

After Recess
at 7:00 O'clock P.M

The Clerk calls the Roll
The following members answered to their names.
Mess Archer, Askew, Barnett, Barton, Bass,
Black of Boone, Black of Randolph, Blackwood, Boles, Braley, Brewer, Britt, Brown of
White, Bumpass, Burns, Carter, Chuck, Cox,
Gray, Coody, Creighton, Davidson of Iredell,
Dawson, Dunlap, Felton, Fishback, Griffin,
Fraser, Furbush, Gilliam, Greening, Hall,
Harrison, Hobson, Holden, Holmfield, Holmes,
Hudson, Jamison, Jordan, Joyner, Keith,
Kenan, King, Lee of Harnett, Lee of Wayne
Lowe, Mack, Mangum, McConnell, McCrackin, McMurray, Miller of Chunk, Miller
of Conway, Minor, Montgomery, Moore,
Morris of Carroll, Morris of Stony, Owens
Pindall, Bryan, Quarles, Richardson, Rodman,
Simmons, Stanley, Tate, Taylor, Thomas,
Tipton, Tyson, Waller of Columbia, Warren, Washburn, Weir, Wilkinson and Mr
Speaker

a quorum present

Mess Brinkley, Cunningham, Davidson
of Chatham and Lockhart answered to their
names.

Mess Barlow of Washington and Mr Stallworth
excused

NB# 213 Mr Conway from the Committee on Judiciary
was granted leave to report upon NB# 213
recommending that the same pass. and
On Motion of Mr Barton the rules were
suspended and the bill read a second time
and

On further motion the bill was ordered engrossed and made Special order for Tuesday next after the reading of the Journal

N.B. Nos 283 & 284 Mr McConnico from the Committee on Enrolled bills reported ~~upon~~ NB Nos. 283 & 284 correctly enrolled and properly signed

by the Speaker of the House and President of the Senate and there then had presented the same to the Governor for his Consideration

The rules having been previously suspended for that purpose

HB# 199 H.B.No 199 was taken up and read

Bring H. B. # 320

Mr Wright offered an Substitute which was read for the first time and

On motion of Mr Babo the Bill and Substitute were laid on the Table

Mr Archer gave notice that he would move a reconsideration of the action just had

A.B# 37 On motion of Mr Shipp H.B No 37 was taken up and was a first time and

On further motion of Mr Black of Boone the bill was read a second time and made Special order for Tuesday next at 10. O'clock A. M.

Under a Suspension of the rules

HB# 172 Mr Priddy called up H.B No 172 and which was read the Second time and

on further Suspension of the rules the Bill was read a third time

The question then being Shall the Bill (H.B 172) pass

The Clerk called the Roll

The following members voted in the affirmative Messrs Archer, Asbury Barnett, Burkhammer, Barry, Black of Boone, Black of Randolph, Babo, Braley, Brewer, Brinkley, Britt, Brown of White, Brumpass, Carter, Church, Conway, Cobey, Creekmore, Davidson of Sharp, Davidson of Izard, Dorsey, Dudley, Fellow, Shipp, Frash, Frobush, Gillam, Greening, Hanly, Harrison, Hobson, Holder, Holmes, Hudson, Jameson, Jordan, Joyner, Keith, Kemp, King, Lee of Howard, Lovelace, Lowe, Mack, McConnell, McCracken, McMurtry

Millw of Clark, Millw of Conway, Minor, Montgomery, Moore, Morris of Carroll, Morris of Stone, Owens, Payne, Pindall, Priddy, Quarles, Richardson, Rodgers, Simmons, Tate, Taylor, Turner, Tyson, Walker of Columbia, Warren, Weir, Williamson, Wright and Mr Speaker 75.

In the Negative Mess Blackwood and Amo 2.

In the affirmative 75
In the Negative 2
Absent and not voting 18
95

So the Bill (HB No 178) passed

On motion of Mr Tate the rules were suspended that he might call up HB No 183

HB 183

HB No 183 was then read a third time The question being shall the bill pass The Clerk called the Roll

The following members voted in the affirmative Mess Archer, Askew, Barnett, Barton, Berry, Black of Boone, Black of Pope, Adolph, Blackwood, Bobo, Brady, Brewer, Brickey, Britt, Brown of White, Bumpass, Burns, Carter, Cheek, Conway, Coody, Crumbaker, Cunningham, Davidson of Sharp, Davidson of Izard, Dewoody, Dunlap, Fletcher, Gipson, Graves, Greening, Hanly, Harrison, Hudson, Hudson, Jackson, Jamison, Jordan, Joyce, Kirk, Knight, King, Lee of Howard, Lowder, Miller, Love, Mack, McCommas, McCracken, McMurtrey, Millw of Clark, Millw of Conway, Minor, Moore, Montgomery, Morris of Carroll, Morris of Stone, Owens, Payne, Pindall, Priddy, Quarles, Richardson, Rodgers, Simmons, Tate, Taylor, Turner, Tyson, Walker of Columbia, Warren, Weir, Williamson, Wright and Mr Speaker 76.

In the affirmative 76
In the Negative none
Absent and not voting 17
93

So the Bill (HB No 183) passed

On Motion of Mr Jameson the rules were further suspended and HB No 102 was taken up and read a second time

Upon a further suspension of the rules the bill was read a third time

HB# 102 The question then being Shall the bill (HB No 102) pass The Clerk called the Roll

The following members rose in the affirmative Miss Barnett, Burton, Barry, Black of Bone, Black of Randolph, Bray, Brewer, Brinkley, Britt, Broughton, Cates, Conroy, Cooley, Cumming, Cunningham, Gregory, Hanby, Hobson, Holden, Hudson, Jamison, Joyner, Kemp, Lee of Harnett, Lowdermilk, Lowe, Mack, McCracken, McMurtrey, Miller of Clark, Minor, Morris of Stanly, Owens, Pollard, Priddy, Rhodes, Richardson, Rollins, Simmons, Taylor, Turner, Walker of Cabarrus, Ward, Weir, Wright and Mr Speaker 46.

In the negative Miss Archer, Askew, Black of Wood, Bobo, Brown of Mitchell, Church, Davis, Dawson of Stanly, Davidson of Rand, Dorsett, Dunlap, Felton, Fraser, Furbush, Gillam, Harrison, Jordan, Keith, King, McConnell, Miller of Conroy, Montgomery, Moore, Morris of Carteret, Tate, Tyson and Williams 26.

In the affirmative	46
In the negative	26
Absent and not voting	22
	93

So the Bill (HB No 102) passed

On motion of Mr Davidson of Stanly the rules were suspended and HB No 185 taken up and read a third time

The question being Shall the bill pass Pending which Mr Davidson of Rand moved to adjourn

The question was put

and the House at 10 o'clock PM
adjourned

J. T. Brenda
Speaker

John G. Holland
Clerk

House of Representatives

Little Rock Arkansas
Saturday March 1st 1879

The House met pursuant to adjournment at 9 O'clock A. M.

The Clerk called the Roll
The following members answered to their names: Mess. Archer, Asher, Barnett, Barton, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Bray, Brewer, Britt Brumpass, Burke, Burns, Carter, Cheek, Conway, Copley, Crickmore, Cunningham Davidson of Izard, Dawson, Dudley, Felton, Fishback, Filkin, Frasa, Firbush, Gillam, Gunning, Hindy, Harrison, Hobson, Holden, Holi, field, Holmes, Hudson, Jameson, Jordan, Joyner, Keith, Kemp, Abby, Lee of Howard, Lee of Newton, Love, Mack, Maynard, Martin, McDonnell, McCracken, McMurtry, Mann of Conway, Mord, Montgomery, Moore, Morris of Carroll, Morris of Pine, Murphy, Owens, Pingal, Priday, Quarles, Richardson, Rodgers, Simmons, Stanley, Stat, Tate, Taylor, Thomas, Turner, Upton, Walker of Columbia, Walker of Washington, Wann, Washburn, Weir, Williams, Wright and Mr Speaker

a quorum present

Mr King offered prayer

Mr Brown of White was excused for absence

The Clerk read the Journal of yesterdays proceedings and there being no objection the same was approved and signed by the Speaker and Clerk of the House

Mr Asher sent to the Clerks desk the following explanation; which was at his request spread upon the Journal viz

"My reason for voting against H B No 102 is, that there is now pending in this House a bill if it should become a law will allow Clerks of other Counties doing less service more

pay, then this bill allows the Clerk of Union County.

A Message was announced from the Senate by Mr. Bartlett the Assistant Secretary appeared and read as follows

Senate Chamber March 8th 1879.

Mr Speaker

I am instructed by the Senate to inform your honorable body of the passage of A.B. No 190. A bill for an act to be entitled An act to amend Sections one & two of an act entitled An act to prohibit the sale of Ardent or Alcoholic liquors within three miles of the Town of El Dorado in the County of Union" approved March 6th 1877 and therewith return the same

A B 190

I am also instructed to inform your honorable body of the passage by the Senate of A.B. No 109. A bill to be entitled "An act regulating the sale of vinous, ardent and fermented liquors" and herewith respectfully transmit the same for your favorable consideration

Lou J. Kretschmar, Secretary.

A B 109

Upon leave granted Mr Greening called up A B No 95. and upon the suspension of the rules A B No 95 was read a second time and

A B 95

On Motion of Mr Gate it was made the special order for Thursday next at 10. o'clock A.M.

...

On motion of Mr Wright the rules were suspended for the purpose of allowing Mr Price all the Chairmen of the Committee on State Lands to make certain reports.

A B Nos. 232 & 233

Mr Price from said Committee reported upon A.B. Nos. 95 and 233 recommending that they do not pass

A B No. 156

Also A B No 156 recommending that it pass

NB# 146 Also A.B No 146 recommending that the same be amended by inserting in the fifth line of the first section after the words "Internal Improvement Lands" the words "Saline and Seminary lands" and that said Bill so amended do pass

The Amendment was read the first time

NB# 321 The said Committee through their Chairman Mr Pindall introduced A.B No 321. A Bill to be "An act entitled An act directing the Attorney General to bring Suit on certain Notes"

Which was read the first time

and

On Motion of Mr Pindall N.B. Nos 146. 156 and 321 were made Special Orders for Thursday next at 11 Oclock A.M.

NB# 322 The same Committee through their Chairman introduced A.B No 322. "An act requiring the State Auditor to turn over and deliver to the Commissioner of State Lands certain Records pertaining to forfeited Lands"

Which was read the first time

NJR# 26 The same Committee introduced A.J.R. #26 "A Joint Resolution authorizing the Governor to make a deed to John G. Geddes to the S/2 SEC 21 T. 11 N. R. 1 W. in Cecil County

Which was read the first time

NB# 323 The same Committee introduced A.B No 323 A Bill to be entitled "An act Supplemental to an act entitled An act to provide for building the public levees of this State

Which was read the first time

and

Which on motion of Mr Dashiell was rejected

Mr Pindall moved to reconsider the vote by which A.B No 326 was rejected

A Message was announced from the Senate

Mr Duthuly the assistant Secretary appeared and read as follows

Senate Chamber
March 1. 1879

Mr Speaker

I am instructed by the Senate to request your honorable body that H.B. No 285 a bill to be entitled an act for the benefit of the Pleasant Ridge Academy in Bradley County approved Jany 10th 1861 be returned

Lou D. Kretschmar
Secretary

Special Order H.B. No 316 which was set for this hour was on motion of Mr Brady deferred and the rules were suspended and H.B. No 85 taken up

H.B. 285

H.B. No 85.

The Speaker called Mr Fishback to the Chair.

Mr Brown of Lee answered to his name

The question being Shall H.B. No 85. pass

Mr Bearden moved to strike out Section Seven of the bill

Mr Riddick answered to his name

A Message was announced from the Senate

Mr Duthuly the assistant Secretary appeared and read as follows

Senate Chamber March 1. 1879

Mr Speaker

I am instructed by the Senate to inform your honorable body of the passage of

H.J.R. No. 1.

H.J.R. No 1. "Proposing an Amendment to the Constitution of the State" with the following Amendment; viz: "Provided That nothing herein contained shall be construed as

a prohibition against the payment of such part of the Halford Bonds as may be decided to be just and legal by the Courts of the State, if such decision shall be made.

Also

H.B.# 283 H.B. No 283 — A bill to be entitled An act to amend an act entitled an act for the incorporation of the Pleasant Ridge Academy in Bradley County" approved January 10th 1861, with following Amendments — Amend Section 1. by striking out "or give" and inserting "or" before the word "exchange". Amend Sec 2. by striking out "or giving" and inserting "or" before the word "exchanging" and by striking out Section 3. and therefrom return the same

Lon D. Ketchum
Secretary.

H.B.# 85 The question occurring on the motion of Mr Bearden to strike out Sec 7. of H.B. No. 85

Mr Dale moved the previous question which was ordered

The main question being shall the bill pass

The Clerk called the Roll

The following members voted in the affirmative Mess Barry, Black of Randolph, Brabo, Brady, Brewer, Brinkley, Brady, Burden of Lincoln, Felton, Fishback, Griffin, Graves, Galbreath, Gunning, Haney, Hatfield, Holmes, Jameson, Jordan, Joyner, Love, Martin, Minor, Moore, Morris of Carroll, Owens, Charles, Riddick, Rodgers, Stanley, Taylor Macon of Washington, Mann & Wright 34.

In the Negative Mess Archer, Askew, Barnett, Black of Boone, Blackwood, Britt, Brown of Lee, Brinkley, Burns, Carter, Conway, Creekmore, Cunningham, Dooley, Gilmore, Harrison, Hoben, Holden, Hudson, Hunt, King, Lee of Howard, Lee of Hunter, Mack, Maynard, McConnell, Mann of Conway, Mims, Young, Morris of Stone, Priddy, Simmons

Steel, Tate, Thomas, Turner, Tyson, Walker of Columbia, Washburn, Weir, Williams and Mr Speaker 44

In the affirmative 84
In the negative 41
absent & not voting 18
93.

So the Bill (H B No 85) failed to pass

A Message was announced from the Governor

Mr Toblin the Private Secretary to the Governor appears and reads as follows

State of Arkansas
Executive office
Little Rock March 1st 1879

To the Speaker of the House of Representatives
Mr Speaker

I have approved and signed H B 284 An act to extend the time for the collection of taxes in the tax books of Carroll County for 1878, till the first day of September 1879

W. R. Miller
Governor

H B 284

Mr Martin of Washington moved a reconsideration of the vote whereby H B No 85 failed to pass.

H B No 85

Special Order H B No 319 was taken up
On motion of Mr Brewer was placed on a third time.

The question now being
H B No 319 Shall the bill pass
The Chair called the Roll

The following members voted in the affirmative Messrs Brehm, Burnett, Burley, Busey, Black of Randolph, Blackwood, Bibo, Brewer, Bonds, Brown of Lee, Brumback, Bourland, Burrow, Curtis, Childs, Conway, Coody, Cruthmire, Davis, Dorn of Izard, Dudley, Felton, Fishback

H B No 319

Hippin, Fraser, Forbush, Gilman, Gunning, Harrison, Holden, Holmes, Jamieson, Jordan, Joyner, Keith, Kemp, King, Lee of Harnett, Lee of Newton, Love, Mack, Maitin, Manwaring, Martin, Miller of Conway, Minor, Montgomery, Moore, Morris of Currituck, Morris of Stone, Owens, Paddy, Riddick, Rodman, Simmons, Thomas, Tarry, Tyson, Walker of Columbia, Walker of Washington, Warren, Washburn, Weir, Williams, Wright and Mr Speaker 30.

In the Negative Messrs Hobson & McCanless 2

For the affirmative 30
In the Negative 2
absent and not voting 21
So the bill (H B No 319) passed

Mr Dail now moved to adjourn
Mr Durnal called for the ayes and noes
which being ordered
The clerk called the Roll
The following members voted in the affirmative
Messrs Barnett, Blanton of Avery, Blanton of Buncombe, Brewer, Bill, Burke, Burns, Carraway, Cochrane, Cunningham, Davidson of Lenoir, Fishback, Gregory, Hardy, Hobson, Holden, Jameson, Lee of Harnett, Lee of Martin, Love, Manwaring, McDonald, McCrackan, Miller of Carraway, Montgomery, Richardson, Rodman, Stutts, Taylor, Washburn, Weir, Wright and Mr Speaker 38.

In the negative Messrs Archer, Burton, Bunn, Bluett of Randolph, Cobb, Broom of Lee, Canty, Creech, Denby, Felton, Hippin, Fraser, Forbush, Gilman, Harrison, Holcomb, Holmes, Jordan, Joyner, Keith, Kemp, King, Mack, Martin, Minor, Moore, Morris of Currituck, Morris of Stone, Owens, Paddy, Riddick, Simmons, Thomas, Tarry, Tyson, Walker of Columbia, Walker of Washington, Warren, and Williams 32.

So the motion to adjourn was not agreed to

The Special Committee appointed to report upon a suitable location for an Insane Asylum was excused until Tuesday next.

Mr McConnell on his own motion was granted leave of absence until ~~Tuesday~~ Monday next. Also Mess Rodin and Creekmore

Mr Montgomery moved to adjourn

Mr Irwin called for the ayes and noes which were ordered

The Clerk again called the Roll the following members rated in the affirmative Mess Burnett, Black of Boone, Brown, Britt, Brown of Lee, Burke, Burns, Conway, Creekmore, Cunningham, Durden of Duval, Fishback, Green, Hall, Hardy, Harrison, Osborn, Gould, Jones, Lee of Howard, Lee of Marion, Lewis, Malone, Mellon, Miller of Conway, Smith, Gurney, Morris of Orange, Owens, Richardson, Reid, Sale, Sistrunk, Wilson of Columbia, Wallace of Washington, Washburn, Weir, Wright and Mr Speaker 37.

In the Negative Mess Scott, Barry, Black of Randolph, Bobo, Canty, Chiles, Conley, Dettmer, Gaspin, Fraser, Firbush, Gilliam, Holmes, Jordan, Keith, Kemp, Long, Lyles, Martin, Minor, Moore, Morris of Stone, Priddy, Riddick, Simmons, Thomas, Brown, Wann and Williams 29

So the House at 12 oclock P M adjourned

John G. Holland
Clerk

J. J. Beaudrow
Speaker

House of Representatives

Little Rock, Arkansas
Monday March 3rd 1879.

The House met pursuant to adjournment at 9 Oclock A M.

The Clerk called the Roll
The following members answered to their names
Meds Archer, Askew, Burnett, Carter, Berry,
Black of Boone, Black of Randolph, Bobo,
Brady, Britt, Brooks Burns, Carter, Cheek, Conway,
Cooley, Creekmore, Cummingham, Davidson of
Sharp, Dawson, Dooley, Felter, Fishback,
Flippin, Fraser, Furbush, Gillam, Greenway,
Hamby, Hare, Harrison, Hobson, Horsford
Holmes, Hudson, Jamison, Jordan, Joyner,
Keith, Kemp, King, Lee of Hempstead, Lee of
Newton, Lenamon, Leiper, Mack, Martin,
McCommas, McCracken, McCluney, Miller
of Clark, Miller of Conway, Moore,
Morris of Carroll, Morris of Stone, Owens,
Payne, Priddy, Quarles, Richardson,
Riddle, Simmons, Strauss, Stuck, Tate, Taylor,
Thomas, Turner, Tyron, Walker of Columbia,
Ward of Washington, Wards, Washburn,
Wear, Williams, Wright and Mr Speaker
a quorum present

Messrs Brown of White, Hundson of Crawford and
Nelson were excused for absence

Mr King offered prayer

Upon leave granted
Mr Martin introduced the following Resolution
"Whereas, this Session is now drawing to a
close and but few bills yet passed and a
great portion of them of a local character
Resolved Therefore, That the Chairmen
of the several Committees of the House constitute
a Committee to select from the bills before the
several Committees and bills now on the table
such bills as they in their judgment think ought
be of the most importance to the people of the
State in order that they may be passed or rejected

Mr Dobo moved to strike out Chairman and insert Committee clerk

On motion of Mr Harrison the Resolution and amendment were laid on the table.

The Clerk read the Journal of Saturdays proceedings and there being no objection the same was approved and signed by the Speaker and Clerk of the House

A Message was announced from the Senate Mr Guthrie the Assistant Secretary of the Senate appeared and read as follows.

Senate Chamber March 3d 1879

Mr Speaker

I am instructed by the Senate to inform your honorable body of the passage of

S B No 155. A bill to be entitled
S B 155 "An act supplemental to an act changing the time of holding the Court in the Sixth Judicial Circuit of the State of Arkansas" and herewith respectfully transmit the same for your favorable Consideration

Lon J Stretcharmar
Secretary.

On motion of Mr Fishback the rules were suspended and S J R No 1.
S J R 1. taken up and

On motion Senate amendment was read the first time

Mr Fishback moved that the House disagree to the Senate amendment and called for the ayes and noes which being sustained

The Clerk called the Roll the following members rated in the affirmative Mess Archer, Barton, Berry, Black of Boone, Black of Randolph, Brady, Brett, Carter, Cheek, Cocke, Crutsinger, Durden of Izard, Dunlap, Fletcher, Fishback, Griffin Graves, Gilmore, Grumpy, Harmon, Hudgens, Jamison, Jordan, Keith, Kemp, King, Lee of Howard, Lee of Newton, Loomis, Lone

McConnell, McCracken, Mann of Clark, Mann of Conway, Miller, Moore, Morris of Cayuse, Morris of Stevens, Nichols, Richardson, Simmons, Stell, Snyder, Stevens, Symms, Walker of Washington, Wanlick, Washburn, Weis, Williams and Mr. Speaker.

51.

In the Negative Miss Aiken, Barnett, Bebo, Burns, Conway, Cunningham, Dimmick of Thurston, Dawson, Forbush, Gandy, Hare, Hayden, Holmes, Hudson, Joyce, Mack, Martin, McMurtrey, Murphy, Owens, Payne, Rogers, Riddle, Robinson, Stanley, Tate, Tyson, Wilson of Columbia & Wright 29.

So the Motion to disagree was adopted.

Mr Meek sent to the Clerks desk the following Explanation of his vote.

"This Amendment being almost identical with the minority report that I proposed and designed submitting as a member of the Judiciary Committee upon the first Pass age of said Resolution in the House and believing that it is the only just way to treat the subject I vote No

NB #73 On motion of Mr McConnell the rules were suspended and HB No 73 Taken up and

On motion of Mr McConnell the Bill was read a third time.

The question then being Shall the bill (HB No 73) pass.

Mr Brown of Lee answered to his name

The Clerk called the Roll

The following Members voted in the affirmative.

Mess Archer, Aston, Barnard, Barry, Black of Boone, Black of Randolph, Bobo, Brady, Britt, Brown of Lee, Burke, Burns, Curtis, Chuck, Coody, Creekmore, Cunningham, Davidson of Shelby, Davidson of Grant, Denney, Fellner, Fishback, Fitzpatrick, Forbes, Forbush, Gilliam, Greening, Handy, Hare, Harrison, Hasbrouck, Hatfield, Holmes, Hudson, Jamieson, Jordan, Joyce, Keith, Kemp, King, Lee of Howard, Lee of Martin, Lenderman, Lowe, Mack

Martin, McConnell, McCracken, McMurtrey,
Miller of Clark, Miller of Murray, Minor,
Moore, Morris of Carlisle, Morris of Hancock,
Murphy, Owens, Payne, Priddy, Quarles,
Riddick, Richardson, Rodes, Simmons, Stanley,
Steel, Tate, Taylor, Thomas, Timmons, Tyson,
Wallace of Columbia, Wallace of Washington,
Warner, Weir, Williams, Wright and Mr.
Speaker 98

In the affirmative 98
In the negative none
Absent and not voting 15
93.

So the bill (S.B. No 75) passed
Mr Burks answers to his name

Mr Forbush was granted leave to offer
N.B. No 22 and
NB 22 upon a suspension of the rules the Amendment was read a second time

Mr Wallace of Columbia moved to amend by striking out all except clear, turkey and prairie chicken
which was not agreed to

Mr Richardson moved to amend by providing that the time limited should be between the first of March and the first of September instead as provided by the bill
which was not agreed to.

Mr Archer amended by moved to striking out turkey

Mr Steel moved an amendment to the amendment also clear

Mr Greening moved to lay the Bill and amendments on the Table.
The ayes and noes being called for and were, ordered
The clerk called the Roll
The following members ratio in the affirmative
Mess Barnett, Barton, Bowers, Brack, Brummett, Davidson of Grant, Fetter, Greening, Harmon, Hobson, Littlefield, Lovelace, Meek, Keith,

Kemp, Lee of Martin, Lowdermilk, Love, Mack
McDermid, McCracken, McMurtray, Mann
of Conway, Moore, Morris of Carroll, Morris of
Izard, Pilkay, Richardson, Rule, Sate Dixon,
Rankin of Columbia, Rankin of Washington, Wash,
burn, Weir, Williams and Mr Speaker 36.

In the negative Mess Archer, Baker, Barry,
Black of Boone, Black of Randolph, Bobo, Brady,
Brito, Brown of Lee, Bruton, Carter, Conway,
Cooley, Cunningham, Davidson of Sharp,
Davis, Dudley, Fishback, Gilkey, Fraser,
Forbush, Gillam, Handy, Hare, Holmes,
Hudson, Jamison, Joyce, King, Lee of
Howard, Martin, Mills of Clark, Minor
Murphy, Owen, Payne, Rennie, Riddick,
Rodgers, Simmons, Stanley, Taylor, Thomas,
Trout, Wann and Wright 46

So the motion to table was not agreed to

The question recurring on the amendment
of Mr Rule to the amendment of Mr Archer
It was not adopted

Mr Richardson moved to amend by pro-
viding for the time limited for the sitting
of each be limited to between January
and which was voted the first time
Mr Richardson moved the previous question
which was ordered
The question being on the amendment
of Mr Richardson
It was agreed to
The amendment was then read a second
time and adopted.
On Motion the bill was ordered Engrossed
and made Special order for to morrow
morning at 11. o'clock.

HB# 283 When leave granted Mr Barnett the
Called up HB No 283 and
Upon a suspension of the rules the Senate
amendment was read and concurred in
and
On Motion of Mr Thomas it was made
Special order for to morrow morning at 11.
o'clock

H.B# 109 On motion of Mr Archer the rules were suspended and H.B. No. 109 taken up and read the first time and

Upon a further suspension of the rules H.B No 109 was read a second time and made Special Order for to morrow morning immediately after the reading of the Journal

H.B# 85. Mr Mann of Washington moved to reconsider the vote by which H.B. No 85 failed to pass

Mr Simms moved to table the motion to reconsider

The ayes and Noes being called for and ordered

The Clerk called the Roll.

The following members voted in the affirmative

Messrs Askew, Barnett, Burton, Black of Boone, Carter, Conroy, Crenshaw, Dunlap, Hare, Hudson, Hunt, King, Lee of Hernando, Lee of Morton, Mack, McMurtrey, Mallory, Embry, Morris of Stone, Murphy, Priddy, Stub, Tate, Thomas, Trotter, Washburn, Williams and Mr Speaker

26.

In the Negative Messrs Archer, Berry, Black of Quachita, Bobo, Brady, Britt, Brown of Lee, Brown, Brown, Church, Coody, Cureton of Union, Cureton of Izard, Dunham, Fletcher, Fishback, Fitzhugh, Fraser, Furbush, Gillam, Gregory, Hanly, Harrison, Hartfield, Holmes, Jamison, Jordan, Joyner, Kent, Lisenby, Martin, McCornell, McCracken, Miller of Clark, Minor, Moore, Morris of Carroll, Orrell, Payne, Quarles, Richardson, Roden, Simmons, Stanley, Taylor, Tyson, Wacaser, Warren of Columbia, Warren of Washington, Warren and Weir

50

So the motion to table was not agreed to.

On motion of Mr Brady the third reading of the bill was reconsidered and H.B# 85 placed back to the second reading for the purpose of amendment

The Speaker called Mr Fishback to the Chair

Mr Irwin moved to amend by striking out the 7th and 9th Sections of the bill—

Mr Williams moved to further amend by striking out Section 10 of the bill.

Which amendment was accepted

Mr Brady called for a division of the question which was ordered

The question being upon striking out the Seventh Section of the bill

Mr Brady moved the following Amendment Strike out three fourths of the revenue derived from all sources during the twelve months next preceding the meeting of said Court and insert Ninety per cent of the taxes levied for that year

Which was read the first time

The amendment upon a discussion of the rules was ordered to a second time and adopted

The question next being upon striking out the Ninth Section

Mr Archer moved the following Amendment

"Provided any person having any claim against any County in this State may have the same allowed, or so much thereof as may be found just and thereupon entered upon the records of said County— but no warrant shall be issued therefor an appropriation is made therefor— And that warrants shall be drawn on the accountants in the order in which they were allowed

It was not adopted

Mr Cooley offers the following Amendment

"Provided that nothing herein contained shall apply to the appropriations already made

It was not adopted

Mr Brady moves to amend by striking out all after the word "unexpended" in the Ninth Section

Which was agreed to

The question recurring upon the motion

to strike out the ninth section

The House by a rising vote of 24 ayes to 25 nays refused to strike out

The question next being upon striking out the tenth section

Mr Ris dicto moved to amend by striking out the words "and not to" and insert the word "or"

The amendment was read the first time and on motion the rules were suspended and the amendment read a second time and adopted.

The question occurring upon the motion to strike out the tenth section

which was ordered to

On motion of Mr Brady the bill was ordered engrossed and made special order for Wednesday next immediately after the reading of the Journal

HJR Nos. 3 and 21.

Upon leave granted Mr Beardsley called up H J R Nos. 3 and 21. and moved that the Joint Committee on Constitutional Amendments be allowed to report the Resolutions back to the House

which was agreed to and

On motion of Mr Beardsley the H J R 21 was read a second time

Mr Beardsley moved to amend the Resolution by inserting the words "or appropriations" after the word "assembly"

The amendment was read the first time and on motion the rules were suspended and the amendment was read a second time and adopted and

On further motion the Resolution was ordered engrossed and made Special Order for Wednesday next at 11 o'clock a m

The Speaker resumed the Chair

322.

H.B. 117. On motion of Mr Mimms H.B. No 117 was taken up and upon a suspension of the rules the Amendment was read a third time Mr Mimms
Moved that the House concur in the Senate Amendment and called for the ayes and noes upon the motion to concur
Which was ordered
The Clerk called the Roll
The following Members voted in the affirmative Mess Archer, Aiken, Barnes, Barton, Barry, Black of Boone, Black of Rudolph, Bobo, Britt, Brown of Lee, Burke, Burns, Curtis, Clark, Conway, Cody, Creekmore, Davidson of Pike, Davidson of Bond, Dunlap, Felker, Fishback, Gilpin, Fraser, Garbush, Gillam, Greening, Hunley, Hare, Harrison, Hobson, Holifield, Holmes, Hudson, Jamison, Jordan, Joyner, Keith, Kemp, Kirby, Lee of Morris, Lesley, Lindsey, Lowe, Mack, Martin, McConnell, McMurtrey, Miller of Clark, Miller of Conway, Miner, Moore, Morris of Stone, Owens, Payne, Priddy, Rogers, Riddick, Richardson, Rodgers, Simmons, Steel, Tate, Thomas, Turner, Upton, Vance of Columbia, Vance, Washburn, Weir, Williams and Mr Speaker 70.
The negative None
So the Amendment was concurred in.

On motion of Mr Tate the House at 12:00 P.M. took recess to 2:30 o'clock P.M.

After Recess
at 2:30 o'clock P.M.

The Clerk called the Roll. The following members answered to their names Mess Archer, Aiken, Barnes, Barton, Barry, Black of Boone, Black of Rudolph, Bobo, Berry, Britt, Brown of Lee, Burke, Burns, Curtis, Clark, Conway, Cody, Creekmore, Davidson of Bond, Dawson, Dunlap, Felker, Fishback, Gilpin, Fraser, Garbush, Gillam, Greening, Hunley, Hare, Harrison, Hobson, Holifield, Holmes, Hudson, Jamison, Jordan,

Joyner, Keith, King, Lee of Harnett, Lee of Northa.
Londerminth, Love, Mack, Martin, McConnell,
McCracken, McMurtrey, Miller of Clarke, Miller
of Conway, Moore, Morris of Carroll, Morris
of Stone, Murphy, Priddy, Quarles, Richardson,
Roden, Simmons, Stanley, Stutt, Tate, Taylor,
Thomas, Turner, Tyson, Walker of Columbia,
Walker of Washington, Wamack, Washburn,
Weir, Williams and Mr Speaker

a quorum present

SB#125 On motion of Mr. Keith the rules were
suspended and SB No 125 taken up and
read a third time

The question then being
Shall the bill (SB#125) Pass
The Senate Enact the Act

The following members voted
in the affirmative Mess Archer, Baker, Barry,
Black of Randolph, Britt, Brown of Lee, Burke,
Burns, Cantu, Chick, Conway, Cody, Cushman,
Davidson of Izard, Dawson, Dudley, Fellmer,
Fippin, Glover, Gunning, Hanley, Hare,
Harrison, Hoben, Horsfield, Holmes,
Joyner, Lynn, Keith, Knight, King, Lee
of Arkansas, Lee of Martin, Londermilk, Love,
Mack, Martin, McCormick, McCracken,
Miller of Clark, Miller of Conway, Moore,
Moore of Carroll, Morris of Stone,
Murphy, Orsi, Payne, Priddy, Quarles,
Richardson, Roden, Simmons, Stanley, Tate
Turner, Tyson, Walker of Columbia, Wamack
Washburn, Williams and Mr Speaker 62

In the Negative Mr Fraser 1.

In the affirmative 62
In the Negative 1
Absent & not voting 30
So the bill (SB No 125) 93. Passed

Upon Suspension of rules Mr Tate introduced
the following Resolution

Resolved That no member
be allowed to speak more than five minutes

on any debatable question except the mover or introducer who shall be allowed ten minutes to close the debate

HB# 109 Mr McCracken asks leave for Special Committee appointed to consider HB 109 to report which was agreed to

Mr Moore from said Committee reported upon HB No 109 recommending passage

Upon a suspension of the rules the bill was read a second time

Mr Miller of Clark moved to amend by inserting the Counties of Clark, Hot Springs and Pike in the title of the bill also

Amend Section second by striking out Clark, Hot Springs and Pike and further amend by adding an additional Section attaching the Counties of Clark, Hot Springs and Pike Counties to the Second Congressional district and detaching them from the third

The amendment was read the first time and the rules were suspended and the amendment read a second time and adopted and on further motion the bill was ordered engrossed and made Special order for Thursday next at 10. Oclock A. M.

Mr Wright answered to his name
Mr Brinkley answered to his name
A Message was announced from the Governor
Mr Jobe the Private Secretary to the Governor appeared and read as follows

State of Arkansas
Executive office
Little Rock March 3d 1879

To the Speaker of the House of Representatives
Mr Speaker

HB# 136 I have this day approved and signed. HB 136. An act to derive the State Board of Finance additional means to support the State Government

W. R. Miller
Governor

Messrs Maynard and Montgomery answered to their names
On motion of Mr Garrison the rules were suspended and HB No 101 taken up and read

HB# 101

(read) and read second time & Rules suspended and a Third time
The question then being
Shall the bill (H.B No 10 ~~1~~) Pass
The Clerk called the Roll
When the following members rose in the affirmative Messrs Askew, Barnett, Banks, Barry, Bobo, Brinkley, Britt, Brown of Lee, Burke, Burns, Butler, Clark, Coody, Creekmore, Cunningham, Darsey, Dewey, Felton, Griffin, Grasty, Hardisty, Gillam, Handy, Hobson, Holifield, Holmes, Jordan, Joyner, Keith, Kemp, King, Lee, Leonard, Lee of Norton, Lowndes, Manire, Martin, McDonnell, McCracken, Miller of Clark, Minor, Montgomery, Moore, Morris of Carroll, Morris of Stone, Murphy, Owens, Payne, Priddy, Rawles, Richardson, Rodgers, Stanley, Tyson, Turner of Columbia, Wann, Washburn, Williams, Wright and Mr Speaker 59

In the negative Messrs Birch of Randolph, Conway, Mack, Miller of Conway, Thomas and Worthen. 6.

In the affirmative 59
In the Negative 6
Absent and not voting 28
93
So the Bill (H.B No 10 ~~1~~) passed

H.B # 36 Mr McComas from the Committee on Enrolled bills reported H.B No 36 correctly enrolled, signed by the Speaker of the House and President of the Senate and presented to the Governor for his consideration

H.B # 103 On motion of Mr Kemp the rules were suspended and H.B No 103 taken up and read a second time and
On further suspension of the rules the bill was read a third time
The question then being Shall the bill pass the Clerk called the Roll: The following members voted in the affirmative
Messrs Archer, Askew, Barnett, Banks, Barry, Black of Boone, Black of Randolph

Bobo, Brinkley, Britt, Brown of Lee, Burke,
Burns, Curtis, Cheek, Conway, Coody, Crenshaw
Cunningham, Dawson, Dunlap, Felton, Fishback
Gilpin, Green, Gresham, Gilliam, Hanley, Hare
Hobson, Hollifield, Holmes, Jordan, Joyner,
Keith, Kemp, Lee of Ferrell, Lee of Newton,
Lewis, Mabry, Maynard, Martin, McCs
Connell, McCracken, Miller of Clark, Miller
of Conway, Minor, Montgomery, Moore, Morris
of Carroll, Morris of Stone, Murphy, Oates,
Payne, Priddy, Quarles, Richardson, Rodgers,
Stanley, Thomas, Turner, Tyson, Walker of
Columbia, Wamack, Washburn, Williams
Wright and Mr Speaker 68

In the affirmative 68
In the Negative None
absent and not voting 25

So the bill (HB No 103) passed

Mr Dawson of Chicot asked to his name

HB# 42 On motion of Mr Richardson HB No 42 was
taken up and
upon discussion of the rules HB No 42
was read a third time.
The question then being
shall the bill pass
The Clerk called the Roll
When the following Members voted in the
affirmative Miss Black of Boone, Brown,
Conway, Cunningham, Hobbs, Lee of
Newton, Mabry, Maynard, McCormick, Owens,
Priddy, Quarles, Richardson, Stanley, Walker
of Columbia, Wright and Mr Speaker 17.

In the Negative Miss Archer, Askew, Barnett,
Barton, Barry, Black of Randolph, Bobo,
Brinkley, Britt, Brown of Lee, Burns, Curtis,
Cheek, Coody, Crenshaw, Dunlap, Felton,
Fishback, Gilpin, Green, Gresham, Gilliam,
Hanley, Hanson, Hobson, Hollifield,
Jordan, Joyner, Keith, Kemp, Lee of
Conway, Lewis of Crittenden, Martin, Miller of
Clark, Miller of Conway, Minor, Montgomery,
Moore, Morris of Stone, Murphy, Oates,
Thomas, Turner, Tyson, Wamack, Washburn and Weir 49

In the affirmative 17
In the Negative 14
Absent & Not voting 2
3

So the bill (H.B. No 179) failed to pass

On motion of Mr Morris of Stone the rules were suspended and H.B. No 179 taken up and read a second time

H.B. 179

Bobo moved to amend by making such tax payable in County Warrants.

Mr Archie moved to further amend by making it payable in Due dollars in Currency Which was accepted

The amendment was read the first time and on further suspension of the rules the amendment was read a second time and adopted and the bill made Special order for to morrow at 7:30 o'clock P.M.

On motion of Mr Hurley the rules were suspended that he might report from the Committee on the Judiciary upon H.B. No 9.

H.B. 9

Mr Hurley reports that there being no Constitutional objection he recommended passage H.B. No 9. was then read a third time the question now being Shall the bill pass The Clerk called the Roll the following members rated in the affirmative. Mess Archie, Askew, Barnett, Banks, Barry, Black of Boone, Black of Randolph, Bobo, Brady, Britt, Brown of Lee, Burns, Cantu, Cheek, Conway, Coody, Creekmore, Cunningham, Davidson of Shawk, Dooley Felton, Fishback, Griffin, Fairbanks, Gilliam Hanks, Hare, Hudson, Hankfield, Joyner, Keith, Kunch, Lee of Howard, Lee of Morton, Lordmilk, Mack, Maniard, Martin, McCorkle, Mills of Clark, Minor, Monk, Gowery, Moore, Morris of Stone, Murphy Owens, Payne, Bowers, Roden, Smiley

Steel, Timms, Irwin, Tyson, Walker of Columbia, Waring, Washburn, Wilkins and Mr Speaker 60.

In the negative Tracy, Jordan, Ming McCormick, Quarles, Richardson and Wright 7.

In the affirmative 60
In the negative 7
absent and not voting 26
So the Bill (A B No 9) passed

A B # 103 On motion of Mr Priddy the rules were suspended for A B No 106. taken up and read the first time and
On further suspension of the rules the bill was read a second time and made special order for Friday next immediately after the reading of the Journal.

A B # 141. On motion of Mr Tyson the rules were suspended for A B No 144 taken up and read a third time.
The question then being
Shall the bill pass
The Clerk called the Roll
The following members voted in the affirmative Messrs Archey, Asbury Barrett, Barkus, Barty, Black of Boone, Black of Randolph, Bobo, Brady, Britt, Brown of Ley, Burns, Curtis, Cheek, Conway, Crickmore, Cunningham, Davidson of Shurp, Denney, Felton, Fishback, Gilpin, Gorbush, Gilliam, Handley, Hare, Hobson, Hatfield, Holmes, Jordan, Kinch, King, Lea Newton, Lorderman, Mack, Maynard, Martin, McCormick, McCracken, Miller of Clark, Miller of Carroll, Moore, Morris of Cornell, Morris of Stone, Murphy, Owens, Payne, Priddy, Quarles, Richardson, Rodden, Sandy, Steel, Timms, Tyson, Walker of Columbia, Washburn, Wilkins, Wright and Mr Speaker 60

In the negative Messrs Casey, Fraser, Jordan, Minor, Montgomery 5.

In the affirmative 60.

In the negative 5
absent & not voting 28
so the bill (H.B. No 114) passed

On motion of Mr Owens leave was granted
Mr Stanley to report from the Committee on
the Judiciary upon H.B. No ~~104~~ 114
H.B. 114 Mr Stanley reported that there being no
Constitutional objections to H.B. No ~~104~~ 114
was recommended passage
Under a suspension of the Rules the
bill was read a second time

Mr Bobo offered the following amendment
"Provided that such lands so donated
by this act to the various counties shall
not be subject to taxation as long as they
remain the property of the County"
The amendment was read the first time
and the rules were suspended and the amendment
read a second time and adopted

Mr Murray moved to further amend by
inserting the words unless otherwise
appropriated
Which was agreed to.

Mr Burnett moved to amend
by striking the following " and all lands
that may hereafter be forfeited for the non
payment of taxes "
The amendment was read the first time
and the rules suspended and the amendment
read a second time and adopted

Mr Murray moved to further amend by
inserting the words unless otherwise
appropriated
Which was agreed to.

Mr Burnett moved to amend by exempting
the Counties of Pulaski, Jefferson, Lincoln
Green, Ashley, Bradley, Desha, Chicot, Calhoun and Ouachita
Which was not agreed to

Mr Garner moved to indefinitely postpone
the bill and amendments
Mr Stanley called for the ayes and noes which

being sustained, the Chair called the Roll when the following members voted in the affirmative Mess, Barrett, Burke, Burns, Phipps, Fraser, Fleming, Jamieson, Maynard Montgomery, Murphy, Williams & Wright 11.

In the Negative Mess Archer, Baker, Barry, Black of Boone, Black of Randolph, Bobo, Bray, Brindley, Brito, Brown of Lee, Curtis, Church, Cooley, Crichmore, Cunningham, Davidson of Yancey, Dudley, Felton, Fishburne, Forbush, Gibbons, Greening, Hardy, Hare, Harmon, Hatchfield, Holmes, Jordan, Joyner, Keith, Kinsey, King, Lee of Warren, Londermilk Mack, Martin, McConnell, McCracken, McMurray, Miller of Clark, Miller of Murray, Minor, Moore, Morris of Carroll, Morris of Stone, Owens, Payne, Priddy, Quarles, Rodes, Stanley, Steel, Tate, Timms, Tyson, Mullin of Columbia, Warren, Wash, & Mr Speaker 54

In the affirmative 11.
In the Negative 54
absent & not voting 23
93

So the motion to indefinitely postpone was not agreed to

Mr Archer offered the following amendment "That all money arising from the sale of any lands under this act be applied to the Common School fund of said Counties: which was not agreed to

Mr Steel moved the following amendment to include all the Saline Lands which was not agreed to

On motion of Mr Owens the bill was ordered Engrossed and made Special order for to morrow at 10. Oclock A.M.

Mr Warren granted. Mr Warren of Washington from the Committee on Ways & Means reported back H.B No 307 with the recommendation

H.B. 307

That it be referred to the Committee on the Judiciary
and it was so referred

H.B.# 160 On motion of Mr Tate the rules were suspended and H.B. No 160 taken up and read a third time
The question then being
Shall the bill pass
The Clerk called the Roll
The following members voted in the affirmative
Messrs Archer, Ashley, Barnett, Barker, Barron, Black of Boone, Bobo, Brady, Britt, Brooks of Lee, Burns, Carter, Chick, Conway, Coody, Crenshaw, Davidson of Duval, Dewberry, Felton, Fishback, Fitzpatrick, Fraser, Frisbee, Gilliam, Gunning, Handy, Harrison, Hatfield, Holmes, Jamison, Jordan, Joyner, Kelly, Kemp, Kenny, Lee of Hernando, Lewis, Lowe, Mack, Maitland, Martin, McCormick, McCracken, McMurphy, Mims of Duval, Mims of Conway, Minor, Montgomery, Moore, Morris of Orange, Morris of Dade, Murphy, Orr, Payne, Priddy, Rigsby, Richardson, Rodem, Simmons, Stanley, Stark, Tate, Thomas, Timmons, Tyson, Mason of Columbia, Mason of Washington, Williams, Wright and Mr Speaker 70

In the negative Mr Hudson 1.

In the affirmative 70
In the negative 1
absent and not voting 22
So the bill (H.B. No 160) passed

Mr Lee requested
Mr Lee of Hernando offered the following
Resolved That the Speaker of this House be requested to appoint a Committee consisting of Eleven members residing in the various Sections of this State to whom shall be referred all bills now pending before this House, also all new bills not yet introduced shall be referred said Committee on Internal

being read to the House
Resolved 2d That it shall be the duty of said Committee to examine all bills so referred and recommend such bills as in their judgment will be of general interest to the people of the State

Which was not agreed to

HB# 124 On motion of Mr Brady the Rules were suspended and HB No 4 taken up as the amendment was the second time and adopted and

On motion of Mr Thomas the House at 5 to 6 o'clock P.M. took recess until 7 oclock P.M.

After Recess at 7 oclock. P.M

The clerk calls the Roll.
The following members answered to their names
Messrs. Archer, Asker, Barnett, Barton, Berry, Black of Boone, Black of Randolph, Bobo, Brady, Bradley, Britt, Brumpass, Burke, Burns, Canty, Chick, Conway, Coody, Crutmore, Cunningham, Davidson of Sharp, Davidson of Izard, Dawson, Denley, Dewitt, Dishaco, Dupwe, Fraser, Furbush, Gillam Greening, Hanly, Hare, Harrison, Holifield, Hudson, Jamieson, Jordan, Joyner, Keith, Kemp, King, Lee of Howard, Lee of Newton, Lewis Lewis, Mack, Maynard, Martin, McConnell, McCracken, McMurtray, Miller of Clark, Miller of Conway, Minor Montgomery, Moore, Morris of Cleburne, Morris of Stone, Orsini, Priddy, Quattlebaum Riddick, Richardson, Rodgers, Simmons, Stanley, Steel, Sue Snyder, Thomas, Vorse, Ayers, Wallace of Columbia, Walker of Washington, Wann, Washburn, Weir, Williams, Wright and Mr. Speaker
a quorum present

On motion of Mr Washburn the Rules were suspended HB 6 and HB No 26 taken up and the pending Amendment

thereto was adopted. Bill ordered engrossed read a third time
for Thursday 16 October

H.B.# 24 Upon a suspension of the rules
Mr Brady Called up H.B. No 24 which was
read a third time and made Special
order for Friday next immediately after the
reading of the Journal in Com of Whole

H.B. No 166. being Special order for this
hour

H.B.# 166 Mr Brady from the Committee on Eng.
grossed bills reported H.B. # 166 correctly
Engrossed

Mr Barry offers the following amendment
"Amend so as to read railroad or Steamboat
wherever the word railroad occurs in the bill
which was ordered to

Mr Jamison moves the following amendment
"Provided; That the provisions of this act
shall not apply to towns or shipping
points on or within 10. miles of a navigable
stream
which was ordered to

Mr Bibb offers the following amendment
"Provided That nothing Railroad here to
fore to Conduits on navigable Streams with Steam
boats they may be allowed to charge less
than their regular fares without being
~~without being~~ guilty of ~~a~~ misdemeanor
tion
which was ordered to

On motion of Mr Brown of Lee the
bill was read a third time
The question then being
Shall the bill (H.B. No 166) pass
The clerk called the Roll
The following members voted in the affirm
ative Messrs Asher, Barnett, Bartlett, Barry
Black of Coosa, Black of Randolph, Bibb
Brady, Britt, Brown of Lee, Brumbaw, Carter
Chesnut, Coody, Crenshaw, Cunningham,
Dawson of Bibb, Dawson, Denson, Dunlap,
Deltner, Enfinger, Fairbanks, Gillam, Greene

Hawks, Hare, Harrison, Hatchett, Hudson
Jordan, Joyce, Kent, Kunkle, Lacy, Lee
of Martin, Lee of Mecklenburg, Love, Mack,
Maynard, Martin, McDonald, McBrayer,
Miller of Clark, Miller of Gilray, Minor,
Montgomery, Moore, Morris of Carroll,
Morris of Hinds, Owens, Priddy, Rideout,
Rodgers, Stanley, Tate, Thayer, Turner,
Upton, Warren of Columbia, Warren of
Washington, Weems, Wachburn, Weir,
and Williams 64

In the Negative Mess Archer, Bounds, Burns
Fishback, Fraser, Gibson, Gunnison,
McMurtrey, Quirles, Simmons and Mr Speaker 11

In the affirmative 64
In the Negative 11
Present and not voting - 18
So the bill (SB No 168) passed

Mr McCommon moved to take up
the motion to reconsider the vote
HB 324 upon SB No 022 of

On motion of Mr Black of Noxu
the House at 9:19 o'clock P.M.
adjourned

John G. Holland
Clerk

J. J. Reardon
Speaker

House of Representatives

Little Rock Arkansas
Tuesday March 4th 1879

The House met pursuant to adjournment at 9 Oclock A. M.

The Clerk called the Roll
The following members answered to their names
Mess Archer, Askew, Barnett, Barton, Berry, Black of Boone, Black of Randolph, Blackwood, Bobo, Brady, Brinkley, Britt, Brown of Lee, Brown of White, Bruce, Burrow, Burrus, Carter, Check, Conway, Crody, Cruikmore, Cunningham Carolan of Izard, Carolan of Izard, Cox, Dunn, Dunlap, Felton, Fishback, Flippin, Fraser, Furbush, Gillum, Greening, Handly, Hare, Harrison, Hobson, Holifield, Holmes, Hudson, Jameson, Jordan, Joyner, Keith, Kemp, King, Lee of Howard, Lee of Hunter, Lenderman, Lord, Mack, Maynard, Martin, McConnell, McCracken, McMurtry, Miller of Clark, Miller of Conway, Mims, Montgomery, Moore, Morris of Carroll, Morris of Izard, Orrey, Payne, Priddy, Rawles, Riddick, Richardson, Rodkey, Simmons, Stanley, Stark, Tate, Tayler, Thomas, Trimble, Tyson, Waller of Col, umbia, Waller of Washington, Warren, Washburn, Weir, Williams, Wright and Mr Speaker

a quorum present

Revd Mr Dye the Chaplain offered prayer

On motion of Mr Brinkley the Committee on Elections was excused for today

The Clerk read the Journal of yesterdays proceedings and there being no objection the same was approved and signed by the Speaker and Clerk of the House

A Message was announced from the Senate

Mr Gathright its Assistant Secretary appeared and was read as follows

Senate Chamber
March 4th 1879

Mr Speaker

I am instructed by the Senate to inform your honorable body of the passage

H.B# 40. of H.B. No 40 = A bill for an act to be entitled "An act to donate certain Lands to the Wa., Shington and Hope Railway Company"

also the reflection of

H.B# 303. H.B. No 303 = A bill for an act to be entitled "An act to reduce the Salaries of the officers of the Executive and Judicial Departments of the State Government and to reduce the mileage and per diem of the members of the General Assembly"

also the passage of

H.B# 298 H.B. No 298. = A bill for "An act to appropriate money to pay the Mileage per diem, and Contingent Expenses of the General Assembly" And herewith respectfully return the same

Low T. Kretschmar
Secretary

also of the passage of

S.B# 71 S.B. No 71 = An act entitled "An act for the relief of Elvin Eubanks and Benj. M. Manning"

also

S.B# 118 S.B. No 118 = A bill to be entitled "An act to make provision for the Care of the Military property of the State"

also

S.B# 158. S.B. No 158 = An act to authorize the Com., mission of State Lands to settle by Com., promise the conflict of title between the State and Railroad Companies to selected and unapproved Grant and overflowed Lands" and herewith respectfully transmit the same for your favorable Consideration

Low T. Kretschmar
Secretary

Mr McConnell from the Committee on Enrolled

H.B# 283 Bills reported H.B No 283 correctly enrolled signed by the Speaker of the House and President of the Senate and that they have presented the same to the Governor for his Concurrence

On motion of Mr Dale the Resolution of June 5th was on yesterday limiting the time of debate was read and adopted.

Leave granted
Mr Mann of Washington from the Committee
HB# 302 on Ways and Means reports upon HB No 302 recommending the following amendment viz. "Strike out from the Nineteenth (19) to the thirteenth line in the first section" and as amended recommended passage
Adopted
On motion of Mr Mann of Washington the report was adopted

HB# 171. Special Order HB No 171 was taken up and read for information

On Motion of Mr Bobo
The House by a rising vote of 40 yeas to 28 nays tabled the bill

SB# 109. SB No 109 being next Special order
Mr Archer moved that SB No 109 be read a third time and placed upon final passage
agreed to
SB No 109 was then read a third time

Mr Cunningham answered to his name

The Question being
Shall the Bill (SB No 109) pass
The Clerk called the Roll
The following members voted in the affirmative Messrs Archer, Askew, Barnes, Bass, Black of Boone, Black of Rutherford, Blackwood, Bray, Brinkley, Bonitz, Brown of Jones, Brown of White, Brumpass, Burke, Burns, Carter, Conway, Coody, Cruikshank, Cunningham, Davis, Dixon of Sharp, Dixon of Lincoln, Dowdy, Dishaw, Hipps, Fraser, Gilliam, Greening, Handy, Hines, Harrison, Hatfield, Holmes, Hudson, Jamison, Jordan, Jernigan, Keith, Krunk, Lilly, Lee of Warren, Lee of Norton, Love, Mainard, Martin, Mebane, McMurray, Miller of Clay, Miller of Cherokee, Minish, Montgomery, Moore, Morris of Yancey

Morris of Stone, Murphy, Owens, Rayner, Priddy, Edwards, Richardson, Rodier, Stanley, Stark, Tate, Turner, Tyson, Walker of Washington, Walker of Columbia, Warren, Washburn, Weir, Williams, Wright and Mr Speaker 74

In the negative Messrs. Bobo, Chesk, Durrom, Falconer, Hobson, Lowndes, McConnell, Riddick, Simmons and Thomas 10.

In the affirmative 74
In the negative 10
absent and not voting 4

So the bill (H B No 104) passed

H B # 171

Mr Stanly moved a reconsideration of the vote had on H B No 171.

On motion of Mr Jamison the Special Order for this hour were suspended in order that he might make a motion
which was agreed to

Mr Jamison then moved that the bills having reference to appropriations for the Deaf Mute and Blind Institutes be made Special order for Thursday next after the reading of the Journal
which was agreed to

Mr Brown from the Committee on Engrossed bills reported H B No 213 correctly engrossed

H B # 213. H. B. No 213 being next Special Order

Mr Love moved the following amendment after the "his bare head" and "well laid on"
which was not agreed to

Mr Stanly moved to amend Section 3. by striking out 79. and insert in its place 80.

and further amend Sec 4. by striking out in the 24th line and from the word "in" down to the word "thereafter" in the 32nd line
which was not agreed to

Mr Davidson of Dr and moved to indefinitely
postpone the bill

Mr Bobo moved the previous question; which
was ordered

The question then being upon the main
question Shall the bill be indefinitely post-
poned

Ayes and noes being called for and
ordered

The Clerk called the Roll

The following members rose in the affirmative
Messrs Archer, Barnett, Blackwood, Bobo, Brett,
Brown of White, Brumpass, Cheek, Cooley, Cook,
more, Cunningham, Davidson of Izard,
Dunlap, Hilpin, Gillam, Gunning, Hanley,
Hocifield, Jordan, Joyner, Kent, Lamb,
Lee of Ashley, Lockhart, Martin, Miller
of Clark, Montgomery, Moore, Murphy,
Pate, Symms, Smith, Wallace of Pulaski
Warren, Washburn, Weir, Williams and Mr
Speaker

38

In the negative Messrs Aitken, Barton, Black
of Randolph, Bradley, Brown of Lee, Burke,
Byrnes, Carter, Conway, Duncan, Fletcher,
Fraser, Furbush, Harrison, Holmes, John-
son, Klump, Lore, Maynard, McConnell,
McCrackin, McMurtrey, Miller of Conway
Minor, Morris of Carroll, Morris of Izard
Owens, Payne, Priddy, Rhodes, Riddick,
Richardson, Roden, Simmons, Stanley,
Taylor, Tyson and Wright

38

So the motion to indefinitely postpone
was lost

A Message was announced from the Governor
Mr Fabens the Private Secretary to the
Governor appeared and was received;

State of Arkansas, Executive office
Little Rock March 4. 1879

To the Speaker of the House of Representatives
Mr Speaker. I have approved and signed
HB No 283 An act to amend an act entitled "An act for the benefit of the Pleasant

HB#283

Ridge Academy in Bradley County approved January 10. 1864.

W. B. Mann
Governor

Mr Dale moved that the bill lie upon the table and moved the previous question
The ayes and noes being called for and sustained,
The Clerk called the Roll
The following members voted in the affirmative
Messrs Archer, Barnett, Blackwood, Bobo, Britt, Brown of White, Brumpass, Chiles, Cooley, Creed, Moore, Darden of Gaud, Dewberry, Griffin, Gillam, Handy, Mayfield, Jordan Joyner, Kent, King, Lee of Hernando, Martin, Mills of Clark, Montgomery Moore, Murphy, Pate, Simms, Mullins of Washington Mennis, Mashburn, Weir, Williams and Mr Speaker 35.

In the negative Messrs Askew, Burton, Black, of Randolph, Brown of Lee, Bowles, Burns, Curtis, Conway, Dubroff, Felton, Fussell, Furbush, Gunning, Harrison, Holmes, Hudson, Jameson, Humphreys, Maynard, McCormick, McCracken, Mills of Conway, Minor, Morris of Carroll, Morris of Stone, Owens, Payne, Priddy, Quarles, Riddick, Richardson, Simmons, Stanley, Taylor, Treon, Tyson, Ward of Columbia and Wright. 39

So the motion to table was lost.

On motion of Mr Barnett
The House by a rising vote of 65 ayes to 31 Nays agreed to table the Bill.

Mr Burton moved to reconsider the vote by which H B No 218 was tabled

Mr Brown of Lee from the Committee on Enrolled bills reported H B Nos 133 and 114 correctly enrolled

H B No 133 and 114

H B No 188 being Special order
Mr Weir moved that the bill be read a third

time and placed upon final passage
Which was agreed to
HB No 138 was then taken up and read a
third time
The question being Shall the bill pass
The clerk called the roll
The following members voted in the affirmative
Messrs Archer, Askew, Barry, Britt, Brown of Lee,
Brown of White, Byrnes, Carter, Cheek, Conroy,
Coody, Crickmore, Cunningham, Davidson
of Bibb, Dismukes, Fellner, Griffin, Grimes,
Hardwick, Gillam, Hardy, Hare, Harmon,
Hatchfield, Hobbs, Hudson, Jordan, Joyner,
Keith, King, Lee of Harris, Lumsden,
Martin, McCormick, McCracken, McMurtry,
Miller of Cook, Miller of Conroy, Montgomery,
Morris of Carroll, Morris of Stone, Owens,
Payne, Priddy, Rawls, Riddick, Rodgers,
Tate, Taylor, Timms, Tyson, Walker of Columbia,
Walker of Washington, Washburn, Weir, Wells,
Timms 36

In the negative Mess Barnett, Burton,
Black of Randolph, Blackwood, Bond,
Moore, Murphy, Stanley, Wamm 9.

In the affirmative 36
In the negative 9
absent not voting 28
So the bill (HB No 138) passed

HB#87 HB No 87 being next Special Order
was taken up and read for information

On motion of Mr Dobo was postponed
until Saturday next immediately after
the reading of the Journal

HB#1114 HB No 1114 being next Special order
was taken up and read a third time
The question being: Shall the bill pass

Mr Harmon moved the previous question
which was ordered
The main question being
Shall the bill pass

The Clerk calls the roll

The following members
voted in the affirmative, Archer,
Barry, Black of Randolph, Bobo, Brown of Lee,
Brown of White, Brumpass, Curtis, Cheek, Conway,
Cooley Cunningham, Davidson of Dade,
Dawkins, Dewberry, Dettmer, Dillahunty, Fraser, Furgeson, Gilmore, Gunning, Hall, Harrison,
Holifield, Holmes, Hudson, Jamison, Jordan
Joyner, Kemp, King, Lee, Howard, Lowrimore,
Martin, McDonnell, McCracken, McMurtray,
Miller of Conway, Minor, Moore, Morris of Carroll,
Morris of Stone, Orsini, Payne, Priddy, Reid of Pulaski,
Rodgers, Simmons, Stanley, Tate, Taylor, Timms,
Tyson, Walker of Columbia, Walker of Washington,
Wann, Washburn, Williams ~~of Mr Speaker~~ 60.

In the negative Barker, Burris, Cockmore,
Hanley, Kuhn, Montgomery, Murphy,
Quarles, Richardson ~~of Wright~~ 10

In the affirmative 60
In the negative 10
absent or not voting 25

So the bill (HB No 114) passed.

On motion of Mr Conway the rules were
suspended for the purpose that he might
make report from the Committee on the Judiciary
The report is as follows
Mr Speaker

The Judiciary Committee to
whom was referred HB No 307 to
be entitled An act to settle the debt
due from the State of Arkansas to
L.L. Johnson ~~and~~ D.N. Reynolds, and the
debt due to her from them, have had
the same under consideration, and I
am instructed to report the same back
to the House with a recommendation
that the Bill do pass

HB 307

On motion of Mr Conway the bill was
made Special order for Monday next
at 3:30 Oclock P.M.

On Motion of Mr Conway
The House at 12th Oclock P.M. to
Recess until 2.00 Oclock P.M.

After Recess
at 2.00 Oclock P.M.

The Clerk Called the Roll. The following
Members answered to their names.
Mess Archer, Askew, Barnett, Barry, Black
of Boone, Black of Randolph, Bobo, Brady,
Brown of Lee, Brown of White, Brumpass,
Burns, Cantu, Chick, Conway, Cody, Creech,
Mora, Cunningham, Davidson of Sharp,
Davidson of Surry, Dawson, Dewey,
Deliver, Dickerson, Diffie, Dixon, Durbin,
Gilmore, Gunning, Harrison, Hobgood
Holfield, Holmes, Hudson, Jamison
Jordan, Joyner, Keith, Kemp, King, Lee
of Martin, Lowdermilk, Mavis, Martin
McCormick, McCracken, McMurray, Mills
of Clark, Mills of Conway, Montgomery,
Moore, Morris of Currituck, Morris of Stanly,
Murphy, Orens, Payne, Pressly, Rich,
ardson, Rocker, Simmons, Stanley, Steel,
Tate, Taylor, Thomas, Turner, Tyson,
Vann of Columbus, Vann, Washburn,
Weir, Williams, Wright and Mr Graham
a quorum present

Mr Lee of Martin was excused to much
on Education
the Committee on Elections was also excused

Mr Hall No. 220 being the next order for
to day

Mr Durbench moved that the Bill
be read a third time

Mr Vann of Columbus moved to strike
out Section 1 where it occurs in relation to Kidding and insert any not
less 12th time

Mr Rhodes was excused

Mr Durbench moved to reject the Ammendment
It was not rejected

Mr Furbush moved to indefinitely postpone the bill and amendment

The House by a vote of 54 ayes to 24 nays refused to postpone

The Special Committee on Revenue was excused

The question being upon the second reading of the amendment

Which was upon a suspension of the rules read a second time and adopted.

Mr Archer moved the following amendment "So far as applies to January to strike out April and September and insert May and August the amendment was then the first time and on motion the rules were suspended and the amendment read a second time and adopted

On motion of Mr Furbush the bill was ordered Engrossed and made Special order for Thursday next at 10 o'clock A M

Mr Morrison of the Rules Mr Murphy from the Committee on Immigration reports Ought to pass

Mr Speaker

H.B. 177 Your Committee to whom was referred H.B. 177 would respectfully recommend to amend Section 6. by striking out the words "general fund" and inserting "any money in the Treasury not otherwise appropriated" and would further recommend that the bill so amended do pass

The amendment was then the first time and on motion the rules were suspended and the amendment read a second time and Engrossed and made Special order for Friday morning next 10 o'clock

A Message was announced from the Senate Mr Duthrie its Assistant Secretary appeared and read as follows.

Senate Chamber
March 4. 1879

Mr Speaker: I am instructed by

the Senate to inform your honorable body of the passage of

HB# 137 HB No 137. "An act to provide means to support the State Government and supply deficiencies in the Treasury and therewith return the same

also the concurrence of the Senate

HB# 57 in House Amendments to HB No 60. A bill to be entitled An act to encourage the building of Railroads in the State of Arkansas"

Also the passage of HB No 32 = An act to authorize the appointment of assistant Prosecuting attorneys Also.

HB# 61. HB No 61. A bill for an act to be entitled an act to repeal an act entitled an act to amend Section 1409 of Gantts Digest

HB# 123 Approved Feby 3d 1875 and for other purposes

Also HB No 123 a bill for an act Authorizing Railroad Corporations to Own and operate Bridges for highway travel as well as for Railroad purposes and to collect tolls for such use

HB# 137 Also HB No 137 a substitute for HB No 72 A bill to be entitled "An act to provide for the payment of claims and judgments and debts against the State of Arkansas by the Commissioner of Claims under the provisions of an act of the General Assembly of the State of Arkansas" Approved March 28th 1871. And herewith respectfully transmits the same for your favorable consideration

Lou D. Kretschmar
Secretary.

HB# 5-8 On motion of Mr Minor the rules were suspended HB No 8 taken up and on motion of Mr Minor the funding amendment was read a second time and adopted.

And on further motion of Mr Minor Section Nine was stricken from the bill

And on further motion the bill was ordered engrossed and made Special order for Saturday next at 10 oclock A M

On motion of the rules. Leave was granted
Mr Herring of Bd to introduce H B
H B # 324 No 324. A bill for an act to be entitled an
act to reduce the number and fix salaries of
Clerks and employees of the Executive, Judicial
and Legislative Departments of the State Government

Which was read the first time and upon
motion the rules was suspended and read second time
Mr Martin of Columbia moved to postpone
indefinitely

Motion to amend the sub-division
so as to relate to 2d clerk in Auditors office
by striking out "one" and insert "two"

Mr Fishburne introduced a substitute for
H B No 324 & being
H B # 325 H B No 325 An act to fix the number and
Sub for # 324 salaries of the Clerks and employees of the
various Executive, Judicial and Legislative
Departments of the State, Government

Which was read the first time and
on motion of Mr Fishburne it was ordered
to lay with H B No 324 to the Committee on
Ways and Means

On motion of Mr Miller of Clarke the rule
H B # 195. was suspended and H B No 195 taken
up and read a second time and
upon a further suspension of the rules
the bill was read a third time
The question then being
Shall the bill (H B No 195) pass
The Clerk called the Roll
The following members rated in the
affirmative Messrs Berry, Black of Ker,
Bleph, Bobo, Brown of Ld, Brunson, White,
Simpson, Carter, Cheek, Conway, Cooke
Crews, Dargan, Davidson of Chesty, Durham,
Ellerbe, Fishburne, Frederick, Gilland
Greene, Harrison, Hatfield, Holmes,
Hudson, Jamison, Kemp, King, Lee of
Hor and, Lowe, Maynard, McCorkle,
McMurtray, Miller of Clarke, Minor, Mosh
Mowery, Morris of Darl, Morris of Sum
Murphy, Owens, Richardson, Rodin, Simmons

Brown, Burns, Buckner, Weir and Mr Speaker 15

In the Negative Messrs Archer, Barnett, Barker, Brady, Bruce, Chairman of Cass, Collier, Fielder, Robson, Jordan, Keith, Mack, Martin, Miller of Conway, Moore, Priddy, Steel, Dale Dyer, Walker of Columbia, Walker of Washington, Wilson, Buckner and Mr Speaker 16

In the affirmative 15
In the Negative 21
Absent and not voting 2
So the Bill (H.B No 195) failed.

H.B# 129

On motion of Mr Walker of Columbia the rules were suspended and H.B# 129 taken up and the pending amendment read a second time and adopted and

On further motion the rules were again suspended and the bill read a third time

The question then being
Shall the bill pass
The clerk called the Roll
The following members voted in the affirmative
Messrs Archer, Barker, Barnes, Black of Boone, Black of Randolph, Bolen, Brady, Brown of Lee, Brown of White, Burnett, Carter, Chick, Conway, Crosby, Crumbaugh, Davidson of Clark, Davidson of Izard, Dawson, Dudley, Felker, Fishback, Griffin, Grace, Harbuck, Hilburn, Greening, Harrison, Hobson, Horsefield, Holmes, Holsom, Jamison, Jordan, Keith, Kinch, King, Lee of Monroe, Lucas, Mack, Maynard, Martin, McCormick, Miller of Crockett, Minor, Montgomery, Moore, Morris of Carroll, Morris of Stone, Mounger, Owens, Priddy, Richardson, Rodgers, Simmons Dale, Turner Dyer, Walker of Columbia, Walker of Washington, Wilson, Buckner and Mr Speaker 62

In the Negative Messrs Brown and Miller of Conway 2.
In the affirmative 62
In the Negative 2
Absent and not voting 29
(3)

So the bill (H.B. No 129) passed

HB#286. On motion of Mr King the rules were suspended and H.B. No 286 taken up and read a second time

On motion of Mrr Minor the Counties of Jackson, Conway, Mississippi and Jefferson were stricken from the bill

On motion of Mr McConnell the rules were again suspended and the bill (H.B. No 286) read a third time

The question being: Shall the bill pass
The Clerk called the Roll
Those voting in the affirmative
Mess Bleeker, Brumfield, Clark, Conway,
Creekmore, Fishback, Fleming, Freeman,
Jordan, Kemp, King, Lee of Hinds, McGee,
Connell, Richardson, Smith, Dixon, 15.

In the negative Mess Archer, Barnett,
Barton, Berry, Bobo, Brady, Brown of Lee
Brown of White, Brumfield, Byrnes, Carter,
Cooley, Cunningham, Davidson of Smith,
Davidson of Bond, Durrum, Ellzey,
Fellner, Gilpin, Green, Hardwick, Harrison,
Hobson, Holmes, Hudson, Jameson, Kent, Lee of Howard, Martin,
Mein of Conway, Minor, Moore, Morris
of Carroll, Morris of Stone, Murphy,
Owens, Priddy, Riddick, Rodgers, Shaw,
Sims, Steel, Tate, Taylor, Mess of Columbia
Mann, Washburn, Weir and Williams, 48.

For the affirmative 15
In the negative 48
Absent and Not voting 30
93

So the bill (H.B. No 286) failed to pass.

HB#326 Mess & Gresham of the 1st
Mr Frobush introduced H.B. No 326
and entitled an act to change the boundary
lines between Monroe and Lee counties - and

for other purposes
Which was read the first time and
Referred to the Committee on Counties and County lines
with instructions that they report as early as
practicable

Mr Davidson of Shasta to the courts desp
Explanation of his vote upon H.B 286
Mr Speaker
I vote no, I only for the reason
that I believe the Bill as amended in
the House, is in its present form unc
Constitutional

Aug 8th 90

On motion of Mr New the rules were sus-
pended and H.B No 90 taken up and
read a third time
The question now being
Shall the bill pass.
It Clerk calls the Roll
The following members gave in the affirmative
Vote Archer, Atkins, Burnett, Carter, Black
of Doone, Cobb, Craig, Brown of Lee,
Brown of White Smith, Evans, Curtis,
Clune, Conaway, Crutcher, Davidson of
Shasta, Davidson of Izard, Denley, Felton
Fisher, Gilliam, Gilliam, Graves, Harrison, Holifield, Hudson,
Duncan, Kirk, Klump, Ming, Lee of Howard,
Lee of Marion, Lindsey, McConnell,
Parker of Clark, Montgomery, Moore,
Morris of Carroll, Morris of Stone,
Murphy, Owens, Priddy, Richardson
Simmons, Stark, Tate, Tucker, Brown Upshaw
Vance of Columbia, Wickham, Weir,
Williams and Mr Speaker 55.

In the negative Mess Berry, Black of Rand-
dolph, Crosby, Fraser, Hopkins, Jordan
Mack, Martin, Muir of Comanche, Minor, Riddle
Roden and Vann 10

In the affirmative 55.
In the negative 10
Absent and not voting 25
93

To Senate Bill No 90. passed

Mr Mann moved to reconsider the vote by which S.B. No. 90. passed

On Motion of Mr Burton the rules were suspended so as to allow the Chairman of the Committee on Public roads to report Mr Barnett from said Committee upon the following

Mr Speaker

Your Committee to whom was referred H.B No 216 have had the same under consideration and recommend the following Amendment Insert in lieu One dollar and fifty cents per one dollar and Two dollars for one dollar and fifty cents.

H.B. 216

The Amendment was read the first time

On Motion of Mr Davidson of Bland The House at 4th Oclock P.M. took a recess until 7½ oclock P.M.

After Recess at 7½ Oclock P.M.

The clerk called the Roll

The following Members answered to their names

Messrs Archer, Askew, Barnes, Burton, Berry, Black of Boone, Black of Randolph, Blackwood, Bolo, Bray, Brinkley, Britt, Brown of Lee, Brown of White, Brumback, Burke, Burns, Cheek, Conway, Coody, Cruikshank, Davidson of Shannon, Davidson of Izard, Darrow, Dunlap, Dettmer, Dishaw, Dilspaw, Fraser, Furbush, Gillam, Greenway, Hanly, Harrison, Hollifield, Holmes, Hudson, Jameson, Jordan, Joyner, Keith, Kemp, King, Lee of Conway, Lee of Perry, Lewellen, Lyle, Mack, Maynard, Martin, McConnell, McCorkle, McMurtrey, Miller of Clark, Miller of Conway, Nisbet, Montgomery, Moore, Morris of Garland, Morris of Stone, Owen, Ozbirn, Quarles, Richardson, Rodgers, Simmons, Stanley, Steel, Tate, Thomas, Turner, Tyson, Vance of Calhoun, Vance

Washington, Washburn, Weir, Williams, Wright and Mr Speaker

a quorum present

The Speaker called Mr Avery to the Chair

The Committee on Insane Asylum was Excused

Mr McCormick from Committee on Enrolled Bills reported HB Nos. 190 and 298. Correctly enrolled signed by the Speaker of the House and President of the Senate and presented to the Governor for his Consideration.

HB#190 & 298

On motion of Mr Mack the Special Order was deferred and the rules suspended and HB No 33 taken up and read third time.

HB#33

The question then being Shall the Bill (HB. No 33) pass

Mr Dawson moves the previous question; which was ordered

The main question being Shall the bill pass

The Clerk called the Roll. - The following members voted in the affirmative Mess Barnes, Black of Randolph, Bobo, Britt, Brown of Lee, Brumpass, Burns, Chick, Conway, Crosby, Cunningham, Harrison of Shelby, Dunson, Garner, Griffin, Fraser, Furbush, Hardy, Harrison, Holifield, Holmes, Hudson, Jamison, Jordan, Joyner, Lee of Horry, Lee of North, Lowdermilk, Lore, Mack, Maynard, Martin, McConnell, McMurray, Minor, Montgomery, Morris of Carroll, Orrell, Rhodes, Riddick, Richardson, Roden, Simmons, Stanley, Stud, Thomas, Thomas of Columbus, Wann, and Wright 44.

In the negative

Mess Archer, Asbury, Barnett, Black of Rowan, Bowen, Brinkley, Brown of White, Cummins, Davidson of Bard, Dellinger, Dishcack, Gilmer, Hall, Hunt, King, McLeran, Moore, Morris of Shelby, Priddy, Pate, Payne,

Messrs of Washington, Buchanan, Mew, Williams
26

In the affirmative 49
In the Negative 26
Absent and not voting 18
93

So the bill (SB No 33) passed

N.B. # 179 NB # 179 Benny Special order for today
Mr Black of Randolph moved to indefinitely
postpone the bill

Mr Archer called for the yeas and Nays
which being Ordered
The Clerk called the Roll
The following members voted in the affirmative
Messrs Barnette, Barry, Black of Cooper, Black
Brown of Lee, Brims, Clark Delmar, Richard
Cameron, Bynum, Mack, Mc Iver, Montgomery
Riddick, Rodman. 16.

In the Negative Mess Archer, Auten, ~~Black~~
~~of Randolph~~, Bobo, Brinkley, Britt, Brown
of White, Brumpard, Conroy, Cody, Crumpler,
Cunningham, Davidson of Stanly, Davidson
of Davie Dawson, Dunlap, Gilliam Graham,
Gwaltney, Hanby, Harrison, Hollingsworth,
Holmes, Hudson, Jordan, Keith, Kemp,
King, Lee of Martin, Lewis, Love,
Maynard, Martin, McCormac, McCrackin,
McMurray, Moore, Morris of Carroll,
Morris of Stone, Owens, Priddy, Quarles
Richardson, Simmons, Stine, Tate, Thomas,
Brown, Tyson, Wadsworth, Walker of Mecklenburg, Walker
of Washington, Warren, Tarboro, Weir,
Williams dec Wright 56.

So the motion to indefinitely postpone was lost

On motion of Mr Shipp the bill was read
a third time.

The question being then
Shall the Bill (SB # 179) Pass
The Clerk calls the Roll:
The following members voted in the affirmative
Mess Archer, Auten, Black of Cooper, Bobo

Britt, Brown of White, Bompass, Conway, Cody
Cochrane, Davidson of Skeena, Davidson of Saanich
Dawson, Hendry, Fulton, Gillanders
Handy, Harrison, Hazelgrove, Holmes, Houston,
Jardine, Keith, Kinnaird, King, Lea of Fernie,
Macdonald of Cape Breton, Macdonald, Mackie,
McKenzie, McKinnon, Morris of Carleton,
Morris of Stormont, Partridge, Reynolds, Richard,
Richardson, Roden, Simmons, Stuart, Tate,
Thomas, Brown, Tyson, Wallace of Columbia,
Wallace of Westminster, Warner, Watson,
Weir, Williams & Wright 53.

In the Negative Messrs Barnard, Barry,
Black of Randolph, Brady, Bromley,
Brown of Lee, Burns, Church, Cunningham,
Dickhart, Fraser, Frobisher, Jameson, Joyce,
Lake, McConnell, Munro of Elgin, Munro,
Pinsent, Moore and Oliver 21.

In the affirmative 53
In the Negative 21
Absent and Paired 19
93

On the Bill (No 179) passed

On motion of Mr Stanley the rules were suspended and Bill No 155 taken up and read the first time and

Upon a further suspension of the rules the Bill was read a second time and made Special Order for Friday next immediately after the reading of the Journal

Bill # 155

On Motion of Mr Moore the rules were suspended and Bill No 269 taken up and read a third time

The question then being shall the Bill (Bill # 269) pass

Bill # 269

The Clerk called the Roll

The following Members rose in their places Messrs Archer, Barnard, Barry, Black of Brown, Black of Randolph, Bole, Brady, Britt, Brown of Lee, Brown of White

Simpson, Brown, Church, Conroy, Coady, Cook, Moore, Cunningham, Davidson of Hants, Davidson of Pictou, Dawson, Delaney, Dexter, Fishback, Gillis, Fraser, Forbush, Gillum, Hanley, Hamilton, Holmes, Hudson, Graham, Joyce, Kent, Kirk, King, Lee of Hants, Lewis, Mack, Munro and McCormick, Oxner, McMurray, Miller of Cumb, Minor, Montgomery, Moore, Morris of Queens, Morse of Hants, Orpha, Priddy, Quarles, Riddell, Rodney, Simms, Stirling, Tate, Thomas, Tory, Train, Fuller of Colchester, Fuller of Washington, Parker, Weir, McInnis. And Speaker. 68.

In the negative none
In the affirmative 68.
In the Negative none
Absent and not voting 25
93
So the bill (HB No 269) passed

Mr Archer moved suspension of the rules that HB No 134 might be taken up
not agreed to

Mr Montgomery moved that rules be suspended and HB No 305 taken up
not agreed to

On motion of Mr Morris adjourned the house by a vote of 34 ayes to 14 nays and, HB # 209 suspended the rules and HB No 209 taken up and read a second time.
On motion of Mr Fishback the rules were again suspended and the bill read a third time.

The question being then
Shall the bill (HB No 209) pass
The clerk called the Roll
The following members voted in the affirmative
Mess Archer, Askew, Burry, Black of Boro, Black of Kings exp, Brady, Bent, Brown of Wm, Simpson, Brown, Church, Coady, Cook, Moore, Cunningham, Davidson of Shuny, Davidson of Pictou, Dawson, Delaney, Dexter, Fishback, Gillis, Fraser, Forbush, Gillum, Hanley, Hamilton, Holmes, Hudson

Jordan, Keith, Kemp, King, Lee of Thornton, Lewisville, Love, Mack, Marchand, Martin, McCormick, McCrackin, McMurtrey, Miller of Clark, Moore, Morris of Cornell, Morris of Hays, Owen, Priddy, Radloff, Simmons, Stuth, Tate, Turner, Uher, Walker of Columbus, Wardy of Washington, Wilson, Workman, Wren, Williams and Wright

59.

In the negative Barnett, Bohannan, Brady, Brown of Lee, Conway, Denton, Jones, Minnis, Montgomery, Quinn, Shields, Smith

11.

In the affirmative 59
In the negative 11
Absent and not Voting 25
(To the bill (H.B. No 209) passed

H.B. No. 305

On motion of Rep Marchand the rules were suspended and H.B. No 305 was taken up and read a second time and

On further explanation of the rules the bill was read a third time

The question being
shall the bill (H.B. No 305) pass
the clerk called the Roll

The following members voted in the affirmative Messrs Archer, Baker, Black of Dallas, Brimley, Brooks, Brown of Lee, Brown of White, Burns, Clark, Conway, Darrow, Fraser, Furbush, Gilmore, Harrison, Hudson, Jones, Kemp, Lee of Morton, Lewisville, Marchand, Martin, McMurtrey, Miller of Clark, Moore, Morris of Cornell, Owen, Priddy, Quinn, Radloff, Simmons, Stuth, and Turner

24.

In the negative Messrs Barnett, Bunny, Black of Runnels, Bohannan, Brady, Brown of Lee, Conway, Cruikshank, Cummings, Harrison of Shackelford, Hudson of Cass, Keith, Latimer, Nicholson, Shipman

Hawley, Hollifield, Holmes, Jamison,
Kent, King, Love, Mack, McConnell,
McCracken, Minnis, Montgomery, Morris
of Carroll, Pate, Ryan, Walker of Columbia
Walker of Washington, Warren, Washburn
Williams and Wright 36

In the affirmative 34.
In the negative 26
Absent and not Voting 23
So the bill (H.B. No 305) failed to pass

On motion of Mr Williams the
House at 1 o'c PM adjourned

J. S. Bearden
Speaker

John G. Holland
Clerk

House of Representatives
Little Rock Arkansas
Wednesday March 5th 1879.

The House met pursuant to adjournment at 9 Oclock A.M.

The Clerk called the Roll
The following members answered to their names Mess. Archer, Askew, Barnett, Barker Barry, Black of Boone, Black of Randolph, Blackwood Bobo, Brady, Brent, Brown of Lee Brown of White, Bumpass, Burke, Burns, Carter Cheek, Conway, Coody, Cruenure, Cummyham Davidson of Izard, Davidson of Izard Davis of Pope, Dudley, Felton, Fishback, Hopkins, Fraser, Furbush, Gillam, Gramling, Hanly, Hare, Harrison, Hobson, Hollifield, Holmes, Hudson, Jamison, Jordan, Joyner, Kent, Kenny, King, Lee, Lindsey, Lord of Howard, Lord of Hunton, Lowrimore, Lyre, Mack, Maynard, Mayo, McCennis, McCracken, Mc. Guerter, Miller of Clark, Miller of Conway, Minard, Montgomery, Moore, Morris of Crawford, Morris of Stone, Murphy, Orrear, Payne, Priddy, Rawls, Reddick, Richardson, Rodes, Simmons, Stanley, Stue, Tate, Taylor, Thomas, Tyrrell, Irvin, Trulin of Columbia, Trulin of Washington, Trusty, Washburn, Weir, Williams, Wright and Mr Speaker a quorum present

Rev'd Mr Dye the Chaplain offered prayer

Mr Archer gave notice of reconsideration of the vote by which HB #62 passed on yesterday

The Journal of yesterdays proceedings was read

HB #85 & 109 Mr Drury from the Committee on Engrossed Bills reported HB Nos. 85 and 109 and HJR #21 HJR No 21, correctly engrossed

On motion of Mr Sayler the Special order for this hour was deferred two rules suspended. that he might introduce a bill

H.B. #327 Mr Sayler introduced H.B. No 327. An act to extend the time for the collection of the taxes on the Tax books of St. Francis County for 1878 till the 5th day of November 1879

which was read the first time and Referred to the Committee on Ways and Means

On motion of Mr McConnell the Special Order was further deferred and the rules were suspended and H.B. No. 196 taken up

H.B. #196

Mr Greenmore offered a substitute being H.B. No 328.

H.B. #328 Subst. for #196

which was read the first time

Mr Morris of Stone moves to reject the substitute

Mr Blackwood moved to indefinitely postpone bill and substitute

Mr McConnell called for the yeas and nays. which being sustained

The Clerk called the Roll.

The following members, voted in the affirmative Yeas. Atchison, Barnett, Berry, Black of Randolph, Blackwood, Bobo, Brazelton, Brito, Brown of White, Bumpass, Burke, Cooley, Cruzmore, Davidson of Sharp, Davidson of Izard, Denley, Gilliam, Handy, Harrison, Hobson, Holt, Keele, Holmes, Hudson, Jamison, Kemp, King, Lee of Howard, Lee of Hunt, Mack, Martin, McMurtrey, Mann of Conway, Minor, Montgomery, Payne, Quinn, Richardson, Simmons, Taylor, Thomas, Trimm of Columbia, and Watkins

4th

In the negative Mess Acklen, Burton, Bray, Brown of Lee, Burke, Autry, Black, Cunningham

Garrison, Feltner, Fishback, Fraser, Furbeck, Gilmore, Hare, Gordon, Jaynes, Landrum, Leonard, Mills, of Clark, Moore, Norris of Carroll, Myers of Stone, Owens, Priddy, Riddick, Rodes, Stanley, Stith, Tate, Thomas, Tyson, Walker of Washington, Wann, Washburn, Weir, Wright and Mr Speaker 40.

So the motion to indefinitely postpone was agreed to

Mr Brinkley asserted to his name.

Mr Fishback moved a reconsideration of the vote just had

On motion of the rules Mr Richardson withdrew the following Resolution

Resolved.

That the resolution heretofore adopted by the House authorizing the Senate and House Committees on Education to act jointly be and the same is hereby rescinded

The yeas and nays

The yeas 40 nays 13

Mr Barlow moved to take up the motion to reconsider the vote by which SR 12 was tabled

Mr Thomas moved to lay the motion to reconsider on the table.

Mr Burton called for the yeas and nays which being ordered

The Clerk called the Roll

The yeas and nays stated in the affirmative were Arthur, Barnett, Black of Boone, Blackwood, Bobo, Brown of White, Brumpass, Burke, Burns, Cluck, Coady, Creasman, Cunningham, Davidson of Shark, Davidson of Bard, Davidey, Dickson, Fairbanks, Galloway, Hare, Hatfield, Jordan, Joyce, Keck, King, Lee of Martin, Leonard of Hinds, Martin McConnell, Montgomery, Moore, Murphy, Payne, Rhodes, Tate, Thomas, Brown, Walker, Washburn, Williams and Mr Speaker 44.

In the negative: Mess Archer, Barton, Black of Randolph, Bray, Brinkley, Britt, Brown of Lee, Coates, Conway, Durham, Feltner, Fishback, Fraser, Glenning, Hanby, Hobson, Holmes, Hudson, Jameson, Kemp, Love, Mack, Maxwell, McCracken, McMurtray, Miller of Clark, Miller of Conway, Minor, Morris of Carroll, Morris of Stone, Owens, Priddy, Riddick, Richardson, Rodgers, Simmons, Stanley, Stitt, Taylor, Tyson, Walker of Columbia, Worsham and Wright 46.

So the motion to table was lost

A Message was announced from the Senate by Mr Guthrie the Assistant Secretary of the Senate as follows.

Senate Chamber
March 5th 1879

Mr Speaker

I am instructed by the Senate to inform your honorable body of the passage of the

HB No 263 — An act changing the time for holding the semi annual terms of the Circuit Court of Phillips County and giving Lee County an additional term at each of its semi-annual terms of the Circuit Court in said Circuit also

HB No 3. An act to amend, "An act providing a general election law" approved January 23d 1875. And the following Amendment" In the sixth line of section (One) Strike out the words Eighteen hundred Eighty and the figures 1880. and insert in lieu thereof the words Eighteen hundred and Eighty Two" and therewith respectfully return the same

also

SB No 69 — A bill for an act to be entitled "An act to donate certain lands to the Iron Mountain and Helena Railroad Company

Also
1/8th 65 S.B. No 65. A bill to be entitled "An act to amend Section (One) of an act entitled an act for the government of County Jails and Poor Houses" approved March 6th. 1875.

Also.
1/8th 97 S.B. No 97. A bill for an act to be entitled an act for the relief of Jay A. Hunt, late Treasurer of Pulaski County and the Securities on his bond as said Treasurer

Also
1/8th 153 S.B. No 153. Substitute for S.B. No 3. "An act to fix the salaries of State officers and the members of the Gen. Stat Assembly" and have reported same back to the House with the recommendation that the Substitute do pass.

Lon O. Kretschmar
Secretary

The question recurring upon the recommendation of the vote upon S.B. No 213. Upon a division being called for the House by a vote of 47 ayes to 14 nays agreed to recommend

Among the Committee on Agriculture
Mr Shipman on leave granted & reported
H.B. Nos 108 and 206 back to the House

H.B. No 191 Henry Sprague moved for the
previous question on motion of Mr Brown which
was read a second time and
upon a division seconded the
Bill was read a third time
The question then being
Shall the bill (H.B. No 191) pass
Mr Archer moved the previous question
which was ordered
The main question being
Shall the bill pass
The Clerk called the Roll
The following members voted in the affirmative
Messrs Akers, Ammons, Burke,
Burns, Davidson of Shasta, Davison

Dewey, Gibson, Hanley, Hatfield, Lee of Harford, Lowndes, McMurray, Munzing, Owings, Morris of Howe, Murphy, Payne, Rawlins, Richardson, Rodun, Weir, and Williams 22

In the Negative Mess Archer, Barry, Black of Boone, Black of Randolph, Blackwood, Bobo, Brinkley, Botts, Brown of White, Cantu, Cade, Conroy, Coody, Crumbly, Cummings, Dacus, Davidson of Bryan, Deltuva, Dick, Eggleston, Shipman, Fraser, Gramling, Hare, Harrison, Holmes, Hudson, Jameson, Jordan, Joyner, Keith, Klunk, Laney, Lee of North, Love, Mack, Maddox, Martin, McCommas, McCracken, Miller of Clark, Miller of Conway, Morris of Carroll, Orr of Craighead, Pickle, Pilkington, Stanley, Steel, Slate, Taylor, Thomas, Turner, Upton, Walker of Calhoun, Waller of Washington, Wann, Washburn, Wright and Mr. Speaker 59.

In the affirmative 22
In the Negative 59
Absent and not voting 19
So the bill (HB 1911) failed to pass

Upon a Suspension of the Rules Mr Owens offered the following Resolution

Whereas the Session of the present General Assembly is near its close and

Whereas the Committee appointed to investigate alleged bribery in the Senatorial Election have not reported to the House of Representatives the result of their investigations: Therefore be it

Resolved: That said Committee be instructed to report to the House, the result of their investigation without further delay

Mr Brinkley moved to amend by instructing the Committee to report on Friday next immediately after the reading the Journal

Mr Morris of Ann moved to further amend by substituting Monday next for Friday which was not agreed to

The question recurring on the motion of Mr Brantley

The House by a rising vote of 17 yeas to 26 nays refused to adopt the amendment

Mr Bobo moved to lay the resolution on the table

The House upon a division called for by a vote of ~~8 yeas to 21 nays~~ agreed to table the resolution.

On motion of Mr Mann of Washington the Special Order was deferred and the rules suspended and HRO No 302 taken up and read a second time and made Special order for Friday next at 11. Oclock A.M. in Committee of the Whole

On motion of Mr Barnett the rules were again suspended and HRO No 68 taken up in Committee of the Whole

Mr Fishback in the Chair

after the House had some time spent in Committee of the Whole: The Committee rose.

The Speaker resumed the Chair and the Committee through its Chairman Mr Fishback reported progress and asked leave to sit again on Friday next at 9½ Oclock A.M.

On motion of Mr Mann
The House at 12½ Oclock P.M took a recess to 2½ Oclock P.M

After Recess
at 2½ Oclock P.M.

The clerk called the Roll
The following members answered to their names

Mess Archer, Askew, Barlow, Barry, Black of Randolph, Blackwood, Bobo, Brady, Britt, Brown of Lee, Brown of Wake, Bynum, Canty, Clark, Coody, Creasman, Crumpler, Dunham of Stanly, Garrison of Duplin, Glover, Hackney, Hasty, Hege, Hester, Hipps, Hasper, Horton, Gilliam, Gunning, Hardy, Hare, Harrison, Hobgood, Hollowell, Holmes, Horton, Jarman, Jordan, Joyner, Kerr, Kluttz, Kuykendall, Lee of Harnett, Lee of Hunter, Londerman, Long, Mack, Maready, Martin, McConnell, McCracken, McMurray, Miller of Clark, Miller of Currituck, Minish, Montgomery, Moore, Morris of Currituck, Morris of Stanly, Murphy, Orrell, Payne, Priddy, Reaves, Riddick, Richardson, Roden, Simmons, Stanley, Steele, Tate, Thomas, Turner, Tyson, Walker of Columbus, Warburton, Washburn, Williams, Wright and Mr Speaker

a quorum present

Special

On Motion, the Committee to investigate the charge of bribery was excused for this Evening

NB#68

On motion of Mr Bobo S.B. No. 68 was made Special order for to morrow Evening at 7½ oclock in Committee of the Whole

Motion & explanation of the rules

Mr Garrison offered the following Resolution

Resolved. That Clerk of this House be empowered and authorized to employ some suitable and qualified person to aid him and his assistant Clerks in receiving Bills and such other duties as may be necessary at the desk for the remainder of the Session and that said person shall receive as Compensation the Sum of $6.00 per day

Which was adopted

H.B.#329

On motion of Mr Roden the Special order was deferred and motion & explanation of the rules

Mr Roden introduced H.B. No 329. A bill for an act to be entitled "an act to legalize and make valid the assessment of property and the levying of taxes in this State, from and

including the year 1874 to the present time
and for other purposes
Which was read the first time
Upon further suspension of the rules the bill was
read a second time and
On motion of Mr Hardy it was referred
to the Committee on the Judiciary

Under suspension of the rules
H J M # 10 Mr Orem introduced H J M No. 10.
To the Congress of the United States, asking
an appropriation for the improvement
of Salmon River in this State
Which was read the first time
and the rules were further suspended
and H.J.M. No 10. read a second time

Under suspension of the rules
H B # 330 Mr Gale introduced H B No 330.
A bill for an act to fix the salary of
the County Judge of Nesha County.
Which was read the first time
the rules were suspended and the
bill read a second time and
referred to the Committee on County
and Probate Courts.

Under suspension of the rules
H B # 331. Mr Fraser introduced H B No 331.
A bill for an act to repeal an act approved
March 9. 1877 Entitled An act to amend
Section 70 of an act entitled An act
fixing the regular terms for holding the
County Courts of the State and fixing the
the Salaries of the County Judges in the
Several Counties in this State" and to
amend Section Twenty five and to re-
enact amend and revise Section
Seventy of an act fixing the regular
terms of holding the County Courts of the
State and for fixing the Salary of the County
Judges and for clerk hire of said
Justices in the Several Counties in this
State," approved February 5th 1875.
Which was read the first time
The rules were further suspended.

and the Bill read a second time
and Made Special Order for Tuesday
week immediately after the reading
of the Journal.

On Motion of Mr Barry the rules were
suspended and HB No 276 taken
up and read a second time and

Then a further Suspension of the rules the
Bill was Read a third time.

HB#276 The question then being
Shall the bill (HB No 276) Pass
The Clerk called the Roll
The following Members voted in the affirm-
ative Messrs Archer, Askew, Barker, Barry,
Black of Randolph, Blackwood, Bobo,
Britt, Brown of Lee, Brown of White, Burns,
Carter, Cooley, Creekmore, Cunningham,
Davidson of Bond, Dawson, Dooley, Fite,
Fox, Griffin, Grasty, Gurley, Gilbert, Gwin,
Hardy, Hare, Hudson, Humphrey, Jackson, Jordan, Joyner,
Kirk, Leach, Long, Lee of Hamilton, Lee
of Martin, Lindamood, Love, Mabe,
Maynard, Martin, McConnell, Mc,
Cracken, McMurtrey, Miller of Conway,
Minor, Montgomery, Moore, Morris of
Carroll, Morris of Stone, Murphy, Owens
Payne, Priddy, Quarles, Richardson,
Rodgers, Simmons, Stanley, Tate, Terry,
Tyson, Vance of Columbia, Vann, Washburn,
Williams and Mr Speaker 67.

None in the Negative

So the affirmative 67
In the Negative none
absent and not voting 26
So the Bill (HB No 276) 93 passed

On Motion of Mr Black of Randolph
the rules were suspended and HB No.
HB#82 82. Taken up and read a second time

Mr Richardson moved that the bill be indefinitely postponed

Not agreed to.

A Message was announced from the Senate

Mr Gathright its assistant Secretary appeared and read as follows

Senate Chamber
March 5th 1879.

Mr Speaker

I am instructed by the Senate to inform your honorable body of the passage of

H.B. No 142 A bill for an act to be Entitled an act to revive certain sections of an act fixing regular terms of holding County Courts and the salaries of County Judges and for other purposes &c

Also

H.B. No. 141 Substitute for H.B No 8. An act to amend Section 67 of an act approved 1875 entitled an act to Maintain a System of Free Common Schools

Also

H.B No 130 A bill for an act to be Entitled "An act to prescribe the manner in which Circuit Courts may decree the adoption of Children and change the name of the same" and herewith respectfully transmit the same for your favorable consideration

Low D. Kretschmar
Secretary

Under a further suspension of rules H.B No 82 was read a third time

The question then being
Shall the Bill (H.B No 82) pass
The Clerk called the Roll
The following members voted in the affirmative Mess Archer, Burton, Clark of Randolph Buckroad, Brett, Church, Davidson of Thomas Dawson, Felton, Filkins, Furbush, Greening, Hare, Hatfield, Holmes, Johnson

Jordan, Keith, Kemp, Lee of Newton
Lowdermilk, Sims, Mack, Martin, McConnell,
McMurray, Munn, Norris of Carteret, Murphy,
Owens, Qualls, Riddick, Rodman, Simmons,
Stith, Brown, 37.

In the negative Mess Aiken, Bobo, Brown
of Lee, Brown of Wilkes, Bruce, Curtis, Cooley,
Creekmore, Cunningham, Davidson of Iredell,
Denlay, Fraser, Gillam, Hardy, Hobson,
Joyner, Kenyon, Lee of Forsyth, Maynard,
McBrackett, Mullen of Clark, Nash of Surry,
Montgomery, Moore, Morris of Stone,
Payne, Priddy, Richardson, Stanley,
Tate, Tyson, Vaughn of Columbus, Warr,
Wren, Washburn and Williams 35.

In the affirmative 37
In the negative " 35
absent and not voting 21
So the bill (SB No 62) passed

Mr Stanley from the Special Committee
on Revenue Laws was granted
leave to report
the reports are as follows.

SB No 41 SB No 41. recommending that it do not
pass. also

SB # 238 SB No 238 Same recommendation
SB # 221 SB No 221 Same recommendation
SB # 182 SB No 182 Same recommendation
SB # 285 SB No 285 Same recommendation

Mr Shipp from the Committee on Agriculture was granted leave to report
SB # 310 SB No 310 recommending that it do pass

On motion of Mr Hare the rules were suspended
SB # 71 and S.B. No 71 taken up and read the first time

Mr McConnell from the Committee on Enrolled
HB # 137 & 240 bills reported H.B. Nos 137 and 40 correctly
Enrolled signed by the Speaker of the House

and President of the Senate and presented the same to the Governor for his Consideration

1st 99 S.B. No. 99 being Special Order for to day was taken up and read a third time.

The question then being

Shall the bill (SB # 99) pass

The Clerk called the Roll

The following Members voted in the affirmative Messrs. Archer, Barry, Black of Randolph, Bobo, Britt, Brown of White, Byrne, Carter, Davidson of Sharp, Dawson of Izard, Embry, Fletcher, Fraser, Garlock, Glenn, Hanly, Harrison, Holifield, Holmes, Jordan, Kent, Kemp, Lamy, Lee of Hempstead, Lee of Hunter, Lindamood, Mack, Maxwell, Martin, McCracken, Miller of Conway, Minor, Moore, Morris of Stone, Orrell, Priddy, Rodgers, Stuck, Tate, Treece, Wynn, Adam, Miller of Columbia, Williams and Mr Speaker 44.

In the Negative Messrs Burton, Black of Wood, Brady, Brown of Lee, Clegg, Cooley, Crenshaw, Dumas, Fellers, Gillam, Hare, Hobson, Joyner, McCorkle, McMurtrey, Mahaffey, Murphy, Payne, Rhyne, Riddick, Simmons, Mann and Washburn 23.

In the affirmative 44
In the Negative 23
absent and not voting 26
93

So the bill (SB No 99) passed

On Motion of Mr Barton the rules were suspended for the purpose that he make report from the Committee on Railroads.

1st 2/12 Mr Barton then upon reported upon S.B. No 212 recommending passage

The rules were further suspended and SB No 212 taken up and read a second time

Mr Bobo offered the following amendment viz: Strike out "Twenty" in the line

of first section and third line of second section and "five" in seventh line of first section and seventh line of second section

The amendment was and the question

and adopted.

Mr Cunningham moved the following amendment

Section That nothing in this act shall be construed to apply to roads operated or having existence under a charter granted by the General Assembly of this State and shall be construed to apply only to Roads organized under the General Incorporation laws of this State

Which was rejected

Mr Bynum moved the following

Strike out the words ipso facto where they appear in the bill and insert the English words "by the act" be inserted in their stead

Which was rejected

On Motion of Mr Shipp the rules were again suspended and the bill read a third time.

The question then being

Shall the bill pass

The Clerk called the Roll

The following members voted in the affirmative Messrs Baker, Barlow, Barry, Black of Randolph, Bobo, Brady, Brite, Brown of Lee, Brown of White, Curtis, Cheek, Cody, Creekmore, Cumming, Dameron, Davidson of Clark, Davidson of Grady, Durham, Dunlap, Felton, Shipp, Foster, Gilbreath, Gillam, Greening, Hardy, Henry, Harrison, Hobson, Hale, Field, Jordan, Joyner, Keith, Kemp, King Lee of Harnett, Lemmerman, Lane, Mack, Murchard, Martin, McConnell, McCracken, McMurray, Miller of Conway, Minor, Montgomery, Moore, Morris of Stone, Owens, Priddy, Quarles, Riddick, Rodman, Simmons, Stile, Dale, Brown, Tyson, Walton of Columbus, Ward, Washburn, Williams and Mr Speaker 64.

NB #212

Mess Blackwood Dayw voted in the Negative

In the affirmative 64
In the Negative 27
absent and not voting 29

So the bill (H.B No 280) passed

Upon leave granted and Motion
of the rules was duly
Mr Aston reported from the Special
Committee on Entertainment upon
H.B Nos. 247 and 280 recommending
passage

And upon a suspension of the rules
H.B No 280 was read a second time
and —
On further suspension of the rules
H.B No 280 was read a third time

H.B 247 & 280

The question then being
Shall the bill (H.B No 280) pass.
The Clerk called the Roll
The following members voted in the
affirmative Mess Aston, Barton,
Barry, Black of Randolph, Blackwood,
Bobo, Brady, Britt, Brown of Lee, Brown
of White, Curtis, Cluck, Cooley, Cochrane,
Cunningham, Davidson of Shelby, Davidson
of Bryan, Dawson, Dewey, Fetzer, Fisher,
Frith, Furbush, Gilliam, Glenn, Hardy,
Hare, Harwood, Hatfield, Holmes,
Jordan, Joyner, Keith, Kemp, Kerr
Lendrum, Lee, Moore, Mumford
Martin, McClennan, McCormick,
McDonald, Miller of Cook, Miller,
Mosby County, Moss, Morris of Cowell,
Morris of Stone, Murphy, Owens, Pardy
Rhodes, Rodgers, Simmons, Stell, Tate,
Trout, Brown, Walker of Columbus,
Ward, Williams and Mr Speaker 64

Mess Fraser & Miller of Murray voted
in the Negative

In the affirmative 62
In the Negative 7
absent and not voting 29
98

So the bill (H.B No 780) passed

H.B No 85. H.B No 85 being Special order for today was taken up and read a third time
The question then being
Shall the bill (H.B No 85) pass
The clerk calls the Roll
The following Members voted in the affirmative, Mess. Archer, Baker, Barnes, Barnett, Berry, Black of Randolph, Bobo, Bray, Brown of Lee, Brown of White, Burke, Cantle, Cheek, Cody, Davidson of Hump, Davidson of Bard, Dettor, Dorbard, Dupps, Ingram, Forbush, Fleming, Hardy, Hanfield, Haynes, Hudson, Jordan, Joyner, Kent, Lee of Howard, Lee of Hurrah, Lowdermilk, Mack, Martin, McLeonnen, McCracken, McMurtray, Miller of Clark, Minor, Moore, Morris of Cumberland, Owens, Payne, Priddy, Randle, Riddick, Roden, Simmons, Tyson, Walker of Columbus, Walker of Washington, Ward, Wash, Burn, Edo, Mew 65

In the Negative Mess Blackwood, Bond, Burns, Cullmore, Dungay, Gilliam, Harrison, Hobson, Kemp, King, Lewis, Maynard, Miller of Carteret, Monroe, Morris of Stokes, Steel, Stone, Wynn, Williams and Mr Speaker 20

In the affirmative 65
In the Negative 20
absent and not voting 18
103

So the Bill (H.B No 85) passed

On motion of Mr Walker of Columbus the Special order was deferred for the purpose of taking up H.B No 9.

H.B No 9.

When a suspension of the rules
H.B. No 9. was taken up

Mr Mallon of Columbia offered a
substitute therefor. The substitute being
H.B. No 332 - H.B. No 332 An act to amend and
1st Jan 4. act to amend section (8720) chapter
(82) of Gantts Digest" approved Feby
26th 1875 which was read the first time

The rules were again suspended
and H.B. No 332 - Read a second time
and adopted

Mr Block of Randolph moved to
amend by striking out the words
"if moving" in the first section

On motion the Rules were made
special order for Saturday next
after the reading of the Journal

On motion of Mr Dunlap
the House at 4.08 o'clock
P.M. adjourned

J. S. Bender
Speaker

John G. Holland
Clerk

House of Representatives

Little Rock, Arkansas,
Thursday, March 6th 1879.

The House met pursuant to adjournment, at 9 o'clock, A.M.

The Clerk called the Roll. The following members answered to their names: Messrs. Archer, Askew, Barnett, Barker, Barry, Black, (of Boone) Black (of Randolph,) Blackwood, Babo, Braly, Brinkley, Britt, Brown (of Lee) Brown (of White) Bumpass, Burke, Burns, Carter, Chick, Conway, Coody, Creekmore, Cunningham, Davidson (of Sharp) Davidson (of Izard), Dawson, Demby, Dickinson Fishback Flippin, Fraser, Furbush, Gillam, Greening, Hanly, Hare, Harrison, Hueder, Hollifield, Holmes, Hudson, Jameson, Jordan, Joyner, Keith Kemp, King, Lee, (of Howard,) Lee (of Newton) Londermilk, Lowe, Mack, Maynard, Martin, McConnell, McCracken, McMurtry, Miller (of Clark) Miller (of Conway,) Minor, Montgomery, Morris (of Carroll,) Morris (of Stone), Owen, Payne, Pindall, Priddy, Quarles, Riddick, Richardson, Roden, Simmons, Stanley, Steele, Stubbs, Tate, Taylor, Thomas, Turner, Tyson, Walker (of Columbia) Walker (of Washington,) Warner, Washburn, Weir, Williams, Wright, Mr. Speaker,

A quorum present.

Messrs Feltner and Moore were excused on account of sickness,

Mr Evans, Doorkeeper, was also excused on account of sickness

Rev. Mr. Dyer, Chaplain, offered prayer,

On motion of Mr Walker (of Washington) the Committee on ways and means was granted leave of absence, and the use of one Page, for the day,

The reading of the journal of the proceedings of Tuesday, Mch 4th was completed, and the journal signed by the Speaker, and Clerk of the House,

The journal of yesterday's proceedings was then read, and there being no objection thereto, it was approved, and signed by the Speaker, and the Clerk of the House.

A message was announced from the Senate.

Mr Fatherly, assistant Secretary of the Senate, appeared and read as follows:

Senate Chamber:
March 6, 1879.

Mr. Speaker:

I am instructed by the Senate to inform your honorable body of the passage of H. B. No. 115 = A Bill to be an
H.B. No 115 Act entitled "An act to amend sections 5098, 5099, 5100, 5102, and to repeal Section 5103 of Gantt's Digest," and herewith respectfully return the same.

Lou. P. Mrettschinar,
Secretary.

H.B. No. 116 H. B. No. 116, being the special order for this hour,

The Speaker called Mr. Minor to the Chair.

On motion of Mr. Tate, the special order for this hour was

deferred; and he introduced M. E. R. Staff, having reference to the adjournment of the General Assembly;

Which was read a first time,

Mr Barnett moved to table the resolution; upon which motion the yeas and noes were called; and the call being sustained, the clerk proceeded to call the roll; The following members voted in the affimative; Barnett, Barnes, Barry, Black (of Boone) Blackwood, Braly, Britt, Brown (of Lee), Bumpass, Burns, Bluck, ~~Conway, Crosby, Cunningham~~, Dawson, Dickinson, Flippin Furbush, Greening, Haney, Harrison, Hudeck, Hollifield, Holmes, Jameson, Jordan, ~~Keith~~, Lee, (of Howard), Lowdermilk, Love, Maynard, McMurtrey, Miller (of Clark) Miller (of Conway,) Minor, Montgomery, Morris (of Carroll), Owen, Payne, Pindall, Quarles, Richardson, Simmons, Steel, Thomas, Tyson, Walker (of Columbia) Wright; Forty-eight.

In the negative, Messrs. Archer, Askew, Black, (of Randolph) Bobo, Brinkley, Brown (of White) Burns, Carter, Creekmore, Davidson (of Sharp,) Davidson, (of Izard) Denby, Fraser, Gillam, Hare, Joyner Kemp, King, Lee (of Newton) Mack, Martin, McConnell, McCracken, Morris (of Stone) Murphy; Priddy, Riddick, Stanley, Stubbs, Tate, Turner, Warner, Washburn, Williams, Thirty-four

On the affimative, forty-eight; (48).
On the negative, Thirty-four (34).

So the motion to table prevailed;

Mr. McConnell, from Committee on Enrolled Bills reported as follows.

Mr. Speaker;

Your Committee on Enrolled Bills

H.B. No. 17 report that they have examined House Bill No 17, and find it correctly enrolled, signed by the Speaker of the House, and President of the Senate, and presented to His Excellency, the Governor, for his consideration

McConnell,
Chairman,

Under suspension of the rules, Mr. Blackwood introduced H.B. No.

H B No 333 333, "a Bill to be entitled an act to aid in the building, maintenance and support of a State Insane Asylum,

Which was read a first time,

H.B. No. 98 H.B. No. 98, being the special order for this hour, on motion of

Mr Britt the special order was deferred, and

N.B. No 140 H.B. No. 140. was taken up.

On motion of Mr. Britt, the rules were suspended, and the Bill was read a third time

The question being shall the Bill pass;

The clerk called the roll;

The following members voted in the affirmative; Barnett, Black, (of Randolph,) Bobo, Brinkley, Britt, Bumpass, Carter, Cluck, Conway, Cunningham, Dickinson, Harrison, Holder, Jameson, King, Lee, (of Howard) Lee of Newton, Lowe, Maynard, McConnell, McMurtrey, Miller (of Clark) Pindall, Priddy, Richardson, Simmons, Steel, Turner, Tyson, Washburn, Mr. Speaker. 32

In the negative: Messrs. Archer, Askew, Barry, Black, (of Boone,) Blackwood, Braly, Brown (of Lee) Brown (of White) Coody, Creekmore, Davidson (of Sharp) Davidson (of Izard) Dawson, Denby, Flippin, Fraser, Furbush, Gillam, Greening, Hanly, Nave, Hatfield, Holmes, Joyner, Keith, Kemp, Mack, Martin, McCracken, Miller (of Conway) Miner, Montgomery, Morris (of Carroll) Morris (of Stone,) Murphy, Payne, Quarles, Riddick, Roden, Stanley, Stubbs, Tate, Thomas, Walker (of Columbia) Warner, Williams, Wright, Forty-Six (46)

In the affirmative . 32
In the negative. 46
Absent and not voting 15.
93.
So H.B. No. 140. failed to pass,

H.B. No. 166 Mr Burrow moved to reconsider the vote by which H.B. No. 166, passed this House,

A message was announced from the Governor;

Mr. Joblin, the Private Secretary to the Governor, appeared and read as follows:

State of Arkansas: Executive office,
Little Rock, March 6. 1879.

To the Speaker of the House of Representatives:

Mr Speaker:

I have approved and signed the following Bills;

H.B. No. 190. H.B. No. 190. "An act to amend Sections One, and two, of an act entitled "An act to prohibit the sale of Wines or Alcoholic liquors within a distance of three miles of the Town of El Dorado, in the County of Union."

H.B. No. 298 Also H.B. No. 298; "An act to appropriate money to pay the mileage, and per diem, and contingent expenses of the General Assembly"

H.B. No. 40 Also H.B. No. 40; "An act to be entitled an act to donate certain lands to the Washington and Hope Railway Company."

H.B. No. 137. Also H.B. No 137. "An act to provide means to support the

State government. and supply deficiencies in the Treasury."

H.B. 17 Also H.B. No 17. "An Act abolishing the Court of Common Pleas of the Counties of Mississippi, Conway and Jackson, and disposing of all actions and proceedings pending therein"

M.R. Miller.
Governor

H.B. No. 98. On motion of Mr McCracken, the special order H.B. No 98 was deferred; And upon suspension of the rules H.B. No 109 was taken up, and read a third time: and the question being shall the Bill pass; the Clerk proceeded to call the roll:

The following members voted in the affirmative: Messrs Archer, Askew, Barnett, Barton, Black, (of Boone) Black (of Randolph,) Blackwood, Bobo, Braly, Brinkley, Brown (of Lee,) Brown (of White) Burns, Carter, Cloud, Coody, Creekmore, Cunningham, Davidson (of Sharp) Davidson (of Izard) Dickinson, Flippin, Fraser, Furbush, Greening, Hanly, Hare, Harrison, Hatfield, Holfield, Holmes, Jamieson, ~~Joyner~~, Keith, Kemp, King, Lee (of Howard), Lowdermilk, Lowe, Martin, McConnell, McCracken, Miller (of Clark) Miller (of Conway) Minor, Morris (of Carroll) Morris (of Stone) Owen, Payne, Pindall, Priddy, Quarles, Riddick, Richardson, Roden, Simmons, Stanley, Stubbs, Tate, Thomas, Turner, Tyson, Walker (of Columbia) Warner, Washburn, Williams, Mr. Speaker, — 67.

In the negative; Messrs Barry, Britt, Bumpass, Dawson, Denby, Jordan, Lee (of Newton,) Mack, Montgomery, Murphy, Steel, 11.

Mr. Maniard was excused ~~for voting~~, for absence

In the affirmative.	67
In the negative	11
Absent and not voting	15
	93.

H.B. No. 109 So H.B. No. 109. Passed.

H.B. No 98 H.B. No. 98. being next Special order.

Mr. Holmes was excused for the day.

Mr Coody moved to indefinitely postpone H.B. No. 98.

Mr Cunningham moved to amend by striking out the clause repealing section 3675 of Gantt's Digest

Mr Bobo moved to table the Bill.

The House, by a rising vote of thirty-seven (37) yeas to Twenty-four (24) nays, agreed to table the Bill.

Mr. Hobson answered to his name,

H.B. No 156. H.B. No. 156, being the next special order;

On motion of Mr. Pindall H.B. No. 156, was read a third time,

The question being shall the Bill pass, the Clerk proceeded to call the roll,

The following members voted in the affirmative: Messrs Archer, Askew, Barnett, Barker, Barry, Black (of Boone) Bobo, Braley, Brown (of Lee) Brown (of White) Bumpass, Bunce, Burns, Carter, Chuck, Conway, Coody, Creekmore, Cunningham, Davidson (of Sharp) Davidson (Dzard) Dawson, Dickinson, Fishback, Fairbush, Greening, Hanley, Hare, Harrison, Holder, Holifield, Jamieson, Jordan, Joyner, Keith, Kemp, King, Lee (of Howard) Lee (of Newton) Lowdermilk, Martin, McConnell, ~~McCracken~~, McMurtrey, Miller (of Clark) Minor, Morris (of Carroll) Morris (of Stone) Murphy, Owen, Payne, Pindall, Priddy, Quarles, Riddick, Richardson, Roden, Simmons, Stanley, Steel, Stubbs, Tate, Thomas, Turner, Tyson, Walker, (of Columbia) Warner, Washburn, Williams, Wright, Mr. Speaker, Seventy (70),

In the negative: Messrs Black, (of Randolph) Blackwood, Dembiy, Fraser, Gillam, Hobson, — Six. (6)

In the affirmative	70,
In the negative	6,
Absent and not voting	17
	93-

H.B. No 156 So the H.B. No. 156 passed,

H.B. No 146 H.B. No 146 being the next special order, was taken up and read a third time

The question then being shall the Bill pass, the Clerk proceeded to call the roll;

The following members voted in the affirmative: Messrs Archer, Askew, Barnett, Barker, Barry, Black (of Boone) Black (of Randolph,) Blackwood, Braley, Brinkley, Brown (of Lee) ~~Brown~~ Bumpass, Bunce, Burns, Carter, Chuck, Conway, Coody, Creek more, Davidson, (of Sharp) Davidson (of Dzard) Dawson, Dembey, Dickinson, Fishback, Fraser, Furbush, Gillam, Greening, Hanley, Hare, Harrison, Holder, Holifield, Hudson, Jamieson,

Jordan, Joyner, Keith, Kemp, King, Lee (of Howard) Lee (of Newton,) Lowdermilk, Martin, McConnell, McMurtrey, Miller (of Clark) Miller (of Conway) Minor, Morris (of Carroll) Morris (of Stone) Murphy, Owen, Pindall, Priddy, Quarles, Riddick, Richardson, Roden, Simmons, Stanley, Steel, Stubbs, Tate, Thomas, Turner, Tyson, Walker, (of Columbia) Walker (of Washington) Warner, Weir, Williams, Mr Speaker, Seventy four (74)

In the negative; (Messrs Bobo, Brown (of White) Montgomery, Washburn; Four (4)

In the affirmative 74,
In the negative 4,
Absent and not voting 15
93,

H.B. No 146 So H.B. No. 146, Passed.

H.B. No 285 H.B. No. 285, and H.B. No. 56 being special orders for to-day

Mr Thomas moved that H B No 285 be taken up and read a second time, Which was agreed to.

H.B. No 285 H.B. No. 285 was then read a second time.

H.B. No 56 H.B. No 56 being next special order, was on motion taken up and read a second time; and referred to Committee of the Whole,

And the House, on motion of Mr Braley, went into Committee of the Whole for consideration of H B No. 285.

Mr. Thomas in the Chair.

The House, after some time spent in Committee of the Whole, rose, and the Speaker resuming the Chair, The Committee of the H.B. No 285 Whole, through its Chairman Mr. Thomas, reported H.B. No 285, back, and recommended its passage, with amendments,

The amendments are as follows:

Amend 1st subdivision of section two, by striking out $200.00 and inserting $150.00; and by adding after the word "School" "so that the whole amount to be appropriated shall be limited to and shall not exceed the sum of Eight thousand Dollars $8,000.00"
The amendment was read a first time,

Amend 2d subdivision of section two by striking out $5,000.00 and inserting $4000.99.

On motion of Mr. Pindall, the 99 cents was stricken out,
The amendment as amended was read a first time,

Mr. Pindall offered the following amendment,

Add at the end of section 2d the following " Provided, that the whole amount thus appriated shall not exceed Five hundred Dollars, ($500.00).

The amendment was read a first time,

And on motion, the amendments were read a second time and adopted,

And on motion of mr Stubbs the Bill as amended was ordered engrossed, and made special order for to-morrow morning immediately after the reading of the journal.

Upon leave granted, and a suspension of the rules had therefor,

N.B. No 334 Mr. Stubbs introduced N.B. No. 334, "A bill for an act to be entitled an act to amend an act entitled an act to regulate the letting of Public Contracts, approved November 28th, 1874"

Which was read a first time, and referred to the Committee on Printing.

On motion of Mr Stubbs the House, at 1 05 o'clock P.M. took recess until 2:30 o'clock, P.M.

After Recess; at 2.30 o'clock P.M.

The Clerk called the roll, and the following members answered to their names:

Archer, Askew, Barnett, Barrier, Barry, Black (of Boone) Black (of Randolph,) Bobo, Braly, Britt, Brown (of Lee). Brown, (of White) Bumpass, Burnie, Burns, Carter, Conway, Coody, Creekmore, Cunningham. Davidson, (of Sharpe) Davidson (of Izard), Denby, Dickinson, Fishback Flippin, Furbush, Gillam, Greening, Hanly, Hare, Harrison Holder, Holifield Hudson, Jamieson, Jordan, Joyner, Keith, Kemp, Lee (of Howard), Lowdermilk, Mack, Martin, McConnell, McCracken, McMurtrey, Miller (of Conway) Minor, Montgomery, Morris (of Carroll) Morris (of Stone) Murphy, Owen, Payne, Pindall, Priddy, Quarles, Richardson, Roden, Simmons, Stanley, Steele, Stubbs, Tate, Thomas, Turner, Tyson, Walker, (of Columbia) Washburn, Weir, Williams, Mr. Speaker, Quorum Present,

The Speaker called Mr. Fishback to the chair,

On motion of Mr. McConnell, indefinite leave of absence was granted Mr. Cluck.

On motion, Mr Bobo was granted leave of absence for to-day.

H.B. No. 22, H.B. No. 26, H.B. No. 177

Mr Braley, Chairman of Committee on engrossed Bills, reported H.B. No 22; H.B. No. 26, and H.B. No. 177, as correctly engrossed,

H.B. No. 56 — N. B. No 56. being special order in Committee of the whole,

On motion of Mr. Hanly, the House now went into Committee of the whole, with Mr. Thomas in the Chair.

After some time spent in Committee of the whole, the Speaker's Committee rose, and Mr. Fishback resumed the Chair.

The Committee of the Whole, through its Chairman, Mr Thomas,
H.B. No 56 — reported N.B. No. 56 back to the House, recommending its passage as amended by the Committee.

The amendments are as follows:

Amend the pending amendment by striking out $5,000.00 in the 1st section, and insert $4,000.00 in its stead.

And also amend the pending amendment by striking out $150.00 and insert $125.00 in its stead, in same section.

And also amend, by adding at the end of section one, "Provided, the gross amount hereby appropriated shall not exceed the sum of Seven thousand Five hundred Dollars, per annum, for the pupils in attendance."

The amendments were read a first time, and on a suspension of the rules were read a second time, and adopted,

On motion of Mr. Jameson, the Bill with amendments, was then ordered engrossed, and made the special order for tomorrow morning immediately after reading the journal.

Mr. Krieg, and Mr Miller (of Clark) answered to their names.

A message from the Senate was announced;

Mr. Fatherly, assistant Secretary of the Senate, appeared and read as follows:

Senate Chamber,
March 6. 1879.

Mr Speaker;

I am instructed by the Senate to inform your Honorable body of the passage of

H.B. No 245 — H. B. No. 245. A Bill to be enacted "an act to adjust the indebtedness of that portion of territory cut off from Elliott County and added to Oneida County by Act No 28. approved Feby 10-1879, entitled an act to change the boundary lines between the Counties of Elliott and Oneida, and for other

purposes, with the following amendments:

1st Amend lines 24 and 25 of section One, so as to read, "In such manner as is now provided by law for the payment of County indebtedness;"

2d That the provisо in section two shall read as follows: "Provided, however, that in case at any time hereafter it may be adjudged by the Courts that any or all of said disputed lands or other disputed debts shall become a charge upon said County of Chicot, then one half of such debt or charge shall be assumed and paid by that portion of the territory cut off from Chicot County, and the County Court of Desha County shall proceed to collect and pay over such pro rata in the manner provided by law." Also

H.B. No 269 H.B. No 269, An act to change the time of holding the Circuit Courts of Washington County, Also

H.B. No 129 H.B. No. 129, A Bill to be entitled an act to prevent the sale of ardent spirits within the Corporate limits of Magnolia, in Columbia Co. Also.

H.B. No 103 H.B. No 103, A Bill to be entitled an act to make valid certain proceedings of the County Court of Grant County;

And herewith respectfully return the same,

Lee T. Kretschmar,

Secty of Senate,

I am also instructed to inform your honorable body of the passage of

S.J.R. No 5 S.J.R. No 5, Authorizing the Governor to appoint Commissioners to draft revenue laws to submit to the next General Assembly, Also,

S.B. No 169 S.B. No 169, a substitute for No 94, An act establishing a Court of Common Pleas in the Counties of Columbia, La Fayette, and Miller, and for other purposes, Also,

S.B. No 88 S.B. No 88, An act to be entitled an act to define and punish certain crimes, Also,

S.B. No 124 S.B. No 124, A Bill to be entitled an act to provide for the examination of claims against the State of Arkansas, Also,

S.B. No 129 S.B. No 129, A Bill to be entitled an act to amend Section 899 of Gantt's Digest,

And herewith respectfully transmit the same for your favorable consideration,

Lee T. Kretschmar,

Secretary,

H.B. No 22 H.B. No 22, being special order for today was taken up, and on motion of

Mr. Furbush was read a third time.

The question being, shall the bill pass, the Clerk proceeded to call the roll,

The following members voted in the affimative. Messrs Askew, Barry, Black (of Randolph) Bumpass, Bunce, Cunningham, Denby, Dickinson, Fishback, Fraser, Furbush Gillam, Greening, Jamieson, King, Lee (of Howard) Lowdermilk, Macks, Minor, Montgomery, Morris (of Carroll) Murphy, Owen, Payne, Pindall, Quarles, Richardson, Stanley Thomas, Thirty two (32).

In the negative: Messrs. Archer, Barnett, Black (of Bone) Braly, Britt, Brown (of White) Burns, Carter, Cody, Creekmore, Davidson (of Sharp) Davidson (of Izard) Flippin Hare, Harrison, Holder, Holifield, Hudson, Jordan, Joyner, Keith, Kemp, Lowe, Martin, McConnell, McCracken, McMurtry, Miller (of Clark) Miller (of Conway) Morris (of Stone) Priddy, Riddick, Roden, Simmons, Steel, Stubbs, Tate, Turner, Tyson, Walker (of Columbia) Walker (of Washington,) Warner, Washburn, Weir, Williams; Forty-six. (46)

In the affimative	32
In the negative	46
absent and not voting	15
	93

So H.B. No 22 failed to pass.

Mr. Furbush moved to reconsider the vote first taken by which H.B. No 22 failed to pass,

H.B. No 22

Mr Walker, of Washington, of Committee of Ways & means was granted leave, and under suspension of the rules reported upon H.B. No 325, with the following amendments:

H.B. No 325

At the beginning of the third line in third section strike out "One" (1) and insert in lieu thereof "two"; and after the word "and" in the third line of third section, strike out "two", and insert in lieu thereof "one", so that the third line in said section will read "two first-class and one second-class clerks," And also

Amend section twelve by striking out all after the word "Janitor" in the eleventh line, and insert "at a salary not to exceed fifty dollars per month; One doorkeeper, at a salary not exceeding ninety dollars per month, who shall also perform the duties of postmaster; and two pages, whose salary shall not exceed two Dollars per day,"

The amendments were read a first time,

On motion, the rules were suspended, and the Bill and amendments were read a second time, and referred to the Committee of the Whole,

Messrs Lee (of Newton) and Taylor, answered to their names.

On motion of Mr. Stubbs the House went into Committee of
H.B. No 325 the whole for consideration of H.B. No 325,
Mr Thomas was called to the chair.

After some time spent in Committee of the whole, the Committee arose, Mr Fishback resuming the Speakers Chair.

Mr. Thomas, Chairman of Committee of the whole, reported
H.B. No 325 back H.B. No. 325. with amendments, recommending that the Bill as amended do pass,

The amendments in Committee of the whole are as follows:

Add to the end of section six the words "And one second class clerks."

Mr Pindall moved to further amend, by adding "who shall also perform the duties of Librarian."

To amend section Eight to read as follows: "The attorney General shall not be authorized to employ any clerk".

The amendments were read a first time; and the rules were then suspended and the amendments read a second time, and adopted.

On motion, the Bill was ordered engrossed and made the special order for Saturday next immediately after the reading of the journal.

On motion of Mr Stubbs the House at 5 $\frac{36}{11}$ o'clock P.M. took recess until 7 $\frac{30}{11}$ o'clock P.M.

After Recess, at 7.30 o'clock P.M.
The Speaker called the House to order, and the clerk called the Roll.

The following members answered to their names:
Messrs Archer, Askew, Barnett, Barker, Barry, Black (of Boone) Black (of Randolph) Blackwood, Bobo, Braly, Brinkley, Britt, Brown (of White) Burke, Burns, Carter, Conway, Coody—Creekmore, Cunningham, Davidson, (of Sharp,) Davidson (of Izard) Denby, Dickinson, Fishback, Flippin, Fraser, Furbush, Gillam Greening, Hardy, Harrison, Hatfield, Hudson, Jameson, Jordan, Joyner, Keith, Kemp, King, Lee (of Newton), Lee (of Marion) Lowdermilk, Love, Mack, Martin, McConnell, McCracken, McMurtrey, Miller (of Clark) Minor, Montgomery, Morris (of Carroll) Morris (of Stone) Owen, Pindall, Priddy, Quarles, Roden, Simmons, Stanley, Steel, Stubbs, Tate, Taylor, Thomas, Turner, Walker (of

Columbia) Walker (of Washington) Washburn, Weir, Williams, Mr. Speaker. Quorum present.

Mr Braly was called to the Chair.

Mr. Richardson and Mr Wright were excused

4.B.No 321 H.B. No 321 being special order.

On motion of Mr Fraser the special order was deferred and the rules being suspended, Mr Fraser, from the Judiciary Committee, Reported upon

4 B No 282 H.B. No 282, with the recommendation that it do pass; and also upon

4 B No 208 H.B. No 208, with the following amendments, adopted by the judiciary committee, to-wit:

Amendments to section One:

Insert after the word "rendered" in line 20 on first page, the following: "On indebtedness existing prior to the adoption of the Constitution of 1874."

Insert after the word "Court" in line 3 on 2d page, the following: "Such Bonds to be payable in."

Strike out in the same line the words: "for a period of"

Insert in line 5; after the word "years" the words "after date"

Add the following at the close of section one on page 2; "Provided, That the person presenting said warrants, bonds, or judgments shall, before presenting the same to the County Court, give at least thirty days notice by publication either in some newspaper published in the County, or by written notices posted in five public places in the County, stating what claim he will present, and at what time he will present the same, to the County Court for funding;"

Amendments to Section Three

In line unnumbered 12, on page 4, strike out the word "bonds" and insert in place thereof the words "sums of"

In same line, after the word "twenty-five" insert "nor more than one thousand"

In line 7, on page 5, after the word "be" insert "due,"

And in same line, after the word "time" insert "of payment of"

And after the words "bonds" in same line insert "said bonds,"

Amendments to Section Four.

In line 24, on page 5, after the word "State" insert "as provided for in section 1 of this act,"

Amendments to Section Six

On line numbered 22, on page 7, after the word "Taxation" insert the words "to pay indebtedness existing prior to the adoption of the Constitution of 1874, towit, five mills."

On line numbered 28, on page 7, after the words "United States" insert "Or in coupons attached to the bonds issued under this act matured or maturing in the year ~~one which~~ in which such tax is collected."

Amendments to Section 7:

On line numbered 23, on page 8, after the word "fund" insert the word "or";

And in same line substitute the word "Four" for the word "five;"

And from lines numbered 27 and 29 strike out the words "or his duly authorized agent."

Amendments to Section 8;

Add on line numbered 19, on page 10, after the words "bonds" the following "And the Treasurer who shall make sale of such part of such sinking fund shall report under oath to the County Court that he was not directly or indirectly interested in the sale of said sinking fund, or in the purchase of said bonds."

Amendment to Section 10.

Strike out all the words except the following, "This act shall take effect and be in force from and after its passage."

And with said amendments recommend that the Bill do pass.

The amendments were read First time,

Mr Bumpass and Mr Warner answered to their names.

Under suspension of the rules, Mr Davidson (of Sharp) introduced N.C.R. No 5, a Resolution for the adjournment of the General Assembly, which was read a first time, N.C.R. No 5

Mr Stanley offered a substitute being N.C.R. No 6, proposing an extension of the session of the General Assembly for 9 days. N.C.R. No 6

Mr. Barnett moved to table the resolution and substitute

Upon which mr. Thomas called for the ayes & noes; which call being sustained, the clerk proceeded to call the roll,

Mr Riddick answered to his name

The following members voted in the affirmative, Messrs, Askew, Barnett, Black (of Bone) Braly, Burrie, Cunningham, Dickinson, Fishback, Flippin, Greening, Manly, Morrison, Hudson, Keith, Lee (of Howard) Powdermilk, McCracken, McMurtrey,

Montgomery, Morris (of Carrol) Prindale, Quarles, Simmons, Taylor, Thomas, Turner, Tyson, Williams, Mr Speaker. -39.

On the negative, Messers. Archer, Barker, Barry, Black (of Randolph) Bobo, Brinkley, Britt, Brown (of White) Burns, Carter, Conway, Coody, Creekmore, Davidson (of Sharp) Davidson (of Izard) Demby, Fraser, Furbush, Gillam, Holifield, Jameson, Jordan, Joyner, Kemp, King, Lee, (of Newton) Love, Mack, Martin, McConnell, Miller (of Clark) Minor, Morris (of Stone) Owen, Priddy, Riddick, Roden, Stanley, Steel, Stubbs, Tate Walker, (of Columbia) Walker, (of Washington) Warner, Washburn, Weir, 46-

So the motion to table was lost.

The question being upon the adoption of the ~~substitutes~~ of Mr Stanley,

On motion of Mr Fishback the resolution and substitute were deferred until March 13, 1879,

Mr Murphy answered to his name,

B. No 321 H. B. No 321 being the special order,

Mr Bobo rose to a point of order, and stated that

B. No 68 H. B. No 68 being special order, having precedence,

The Chair decided the point of order not well taken

From the decision of the Chair Mr Bobo appealed to the House,

The question then being, shall the decision of the Chair be sustained,

It was sustained,

B. No 321 The question recurring on the passage of H. B. No 321,

The Clerk called the roll,

The following members voted in the affimative; Messrs Archer, Askew, Black (of Bowie) Black (of Randolph) Brinkley, Burns, Carter, Coody, Creekmore, Cunningham, Davidson of Izard,) Dawson, Dickinson, Furbush, Holifield, Hudson, Jameson, Jordan, Joyner, Keith, Lee (of Howard) Lee (of Newton) Love Mack, Martin, McConnell, Miller (of Clark) Minor, Montgomery; Morris (of Carroll,) Morris (of Stone) Murphy, Prindall, Priddy, Riddick, Roden, Simmons, Stubbs, Tate, Taylor, Walker, of Columbia,) Walker (of Washington) Washburn, Weir, Williams and (Mr Speaker; 46,

On the negative, Messrs Barnett, Bobo, Braley, Britt, Brown (of White) Bunce, Conway, Demby, Flippin, Fraser, Gillam, Hardy, Harrison, Kemp, King, Lowdermilk, McCracken, Owen, Quarles, Thomas, Turner, Tyson and Warner, 23,

On the affimative	46
On the negative	23
Absent and not voting	24
	93

H.B. No 321

So H.B. No 321 passed,

H.B. No 26.

H.B. No 26 being special order,

On motion of Mr Washburn it was taken up and read third time;

Mr. Nanis moved the previous question, which was ordered;

The main question being shall the Bill pass, the clerk called the roll,

The following members voted in the affirmative— Messrs, Askew, Black (of Boone) Brown (of White) Bumpass, Burns, Carter, Coody, Creekmore, Davidson (of Izard) Dawson Denby, Fishback, Flispsin, Fraser, Hudson, Jordan, Keith Kemp, King Lee (of Newton) Londermick, Mack Martin, Mc Bracken, Miller (of Conway) Morris (of Carroll) Owen, Riddick, Rowden, Simmons, Stubbs, Tate, Taylor, Tanner, Walker (of Columbia) Walker (of Washington) Washburn and Williams, 38;

On the negative; Messrs, Archer, Barnett, Black (of Randolph,) Bobo, Braly, Brinkley, Britt, Bruce, Davidson (of Sharp) Dickinson, Furbush, Gilliam, Hanly, Harrison, Hatfield, Joyner, Lee (of Howard) Love, Miller (of Clark) Minor, Montgomery, Morris (of Stone) Murphy, Pindall, Priddy Quarles, Steel, Thomas, Tyson, Warner, Weir, Mr Speaker, 32;

On the affirmative,	38,
On the negative	32
Absent and not voting	23
	93

H.B. No. 26. So H.B. No. 26, passed,

Mr. Furbush moved to reconsider the vote by which H.B. No 26 H.B. No 26 passed,

H.B. No. 68 H.B. No. 68, being special order in Committee of the Whole,

Mr Hanly was called to the Chair,

After the House had some time spent in Committee of the Whole, the Committee arose

Mr. Braly resumed the Speaker's Chair;

And the Committee of the Whole through its Chairman Mr. Hanly reported progress, and asked leave to sit again on tomorrow at 7 30 o'clock P.M.

On motion of Mr Montgomery the Report was adopted

On motion of Mr Tate, the House at 9 17 o'clock P.M. adjourned.

J. T. Buchanan
Speaker

John G. Holland
Clerk.

House of Representatives

House of Representatives

Little Rock, Arkansas,
Friday, March 7, 1879.

The House met pursuant to adjournment, at 9 o'clock am, the Speaker in the Chair.

The Clerk called the Roll, The following members answered to their names: Archer, Askew, Barker, Barry, Black (of Boone,) Black (of Randolph) Blackwood, Bobo, Braly, Brett, Brown (of Lee) Brown (of White) Bumpass, Burke, Burns, Carter—Chuck, Conway, Coody, Creekmore, Cunningham, Davidson (of Sharp) Davidson (of Izard) Dawson, Demby, Dickinson, ~~Dickinson~~, Fishback, Flippin, Fraser, Gillam, Greening, Hanly, Hare, Harrison, Hobson, Holder, Holifield, Holmes, Hudson, Jameson, Jordan, ~~Jordan~~, Joyner, Keith, Kemp, King, Lee (of Howard) Lee (of Newton) Lowdermilk, Lowe, Mack, Martin, McConnell, McCracken, McMurtrey, Miller (of Clark) Miller (of Conway) Minor, Montgomery, Moore, Morris (of Carroll) Morris (of Stone), Murphy, Owen, Payne, Pindall, Priddy, Quarles, Riddick, Richardson, Roden, Simmons, Stanley, Steel, Stubbs, Tate, Taylor, Thomas, Turner, Tyson, Walker (of Columbia) Walker, (of Washington) Warner, Washburn, Weir, Williams, Wright. Mr Speaker, Quorum Present,

Rev. Mr Dye, Chaplain offered Prayer,

On motion of Mr Walker, (of Columbia) the Committee on Claims was excused,

Mr Braly, from Committee on Engrossed Bills, reported
H. B. No. 285 H. B. No 285, and H. B. No 56, correctly engrossed

Mr Brinkley answered to his name,

On motion of Mr Stanley, from Special Committee on Revised Laws, the special orders were deferred,

Mr Stanley thereupon introduced
H. B. No 335 H. B. No 335, A Bill for an act to be entitled an act to Revise and digest the Revised Laws of Arkansas

Mr. Barnett answered to his name,

Pending the reading of the Bill, a message was announced from the Senate,

Mr. Fatherly, Assistant Secretary of the Senate, appeared and read as follows:

Senate Chamber, March 7, 1879.

Mr Speaker:

I am instructed by the Senate to inform your Honorable Body of the passage of

B. No 181 H.B. No. 181, An act to amend sections 1, 2, & 3, and to repeal section 3 of an act entitled an act amendatory of existing laws regulating the sale of the lands of the State, approved December 13, 1875, and herewith respectfully return the same.

I am also instructed to inform your Honorable Body of the passage of

B. No. 27. S.B. No. 27, An Act to prohibit retail liquor dealers from selling spiritous, vinous, or malt liquors to habitual drunkards; and herewith respectfully transmit the same for your favorable consideration;

Lew. T. Kretschman
Secretary,

B. No 335 H.B. No. 335 was read first time,

On motion of Mr Walker (of Washington) the special orders were further deferred, and under suspension of the rules;

B. No 335 H.B. No. 335 was ordered read a second time,

Under suspension of the Rules;
Mr Bobo introduced the following Resolution;

Resolved, That the Committee on ways and means report to this House on Monday morning next the General appropriation Bill for the next two years; and

Resolved, That if they report otherwise than by Bill, that a special committee of Five be appointed by the Chair to draft said Bill at once,

Mr. Archer moved to amend the Resolution by striking out "Monday" and inserting "to morrow",

Mr. Fraser moved to table the Resolution and amendment, Which was not agreed to,

The Resolution and amendment was then adopted,

Upon leave granted, Mr Blackwood, from special Joint Committee, to report upon a suitable site for an insane Asylum, made the following report for the majority

To the President of the Senate, and the Speaker of the House of Representatives of the State of Arkansas:

Your Joint Committee heretofore appointed to visit Hot Springs and Dardanelle Springs, and to report upon the feasibility of locating an Insane Asylum (or Hospital) at one of these points, beg leave to report; That in obedience to the resolution of the General Assembly we have visited the two several points, as well, also, the property heretofore purchased by the State for that purpose near Little Rock, and the town of Searcy, in White County.

That your Committee were induced to visit the property near the City of Little Rock, because it was State property and stood in nomination as a suitable location for said institution; and they visited the Town of Searcy, in White County, in obedience to a resolution of the Senate authorizing them to do so.

Your Committee, on the —— day of —— 1879, visited the town of Hot Springs, and were shown all the accessible lands (or locations) in and near said town. We did not find any lands, or locations, as we believed, suitable for the location of the Insane Hospital of this State,

First, Because we could not get tillable land enough in one body to meet the necessities of such an institution, and all lands shown us were rolling, poor, and unfit for cultivation.

Second, Because, that owing to the unsettled condition of the titles of all lands within one mile of Hot Springs, we could not recommend a location within that limit, i. e. one mile; and that no lands were offered nearer than one mile from said Springs,

Third, Because, ~~granting~~ all lands offered the State for the purpose above named were exhorbitant in price,

Fourth, Because, granting that the United States Government would permit a free use of the Hot Water, it would cost the State nearly, if not quite, five thousand Dollars per mile to convey said waters from the Springs

Fifth, Because, after examining a great number of Reports of Superintendents of Asylums of several States of the Union, we find that the efficacy of the Hot Springs Waters would not prove beneficial in the treatment of but a few cases of lunacy, if any. And the curative property of these waters, when applied in the treatment of lunacy, would result in the restoration of but few patients, in our judgment,

Your Committee State, in relation to the property of the State near Little Rock, that we do not regard it a feasible location for the Asylum for the Insane, from the fact that there is not enough land in said tract, there being only eighty acres, but little of which is susceptible of cultivation, and the supply of water is inadequate, having to be conveyed by heavy machinery and through pipes, from the Arkansas River, a distance, as we understand, of nearly two miles; which said water would not be

palatable or healthy, in the summer season, and perhaps not at all,

We, your Committee, therefore considering the advantages presented by the various contending points for the location of said Asylum, are constrained from a sense of duty, and the best interests of the state, feel inclined to report to this Honorable body that the Dardanelle Springs property, in Yell County, is the most feasible and practicable point for the State Asylum for the Insane

First, Because the Dardanelle Springs property consists of 480 acres of fine arable lands, with an elegant building of thirty-five rooms, which might be used immediately, with a small additional expenditure of money, in the way of arranging windows and doors, and heating aparatus. Also, near the main building is an elegant building of six rooms, and one of four rooms, either or both of which can be used by Superintendents, physicians, and guards; these buildings are situate within a radius of fifty to seventy-five yards of each other, thereby rendering all things convenient, etc,

The Springs, five in number, consisting of two white sulphur, two-freestone, (or clear water), one iron; perhaps the greatest variety and best collection of waters to be found at any point in the State, in so small a radius; none of which being more than 30 feet distant from each other; the medical property of which we are informed, and believe, are not surpassed by any Springs in the State; And all of said Springs flow from a bench of the Magazine Mountains, at an elevation of Seven hundred feet above the bed or level of the Arkansas River at the Town of Dardanelle, in Yell County.

In addition to the Springs above named, we would say that there is a larger Spring of clear, (freestone) water bursting out of the mountains at a distance of one half (1/2) mile from the main building, and at an elevation of about five hundred feet above the same, which can be conveyed through pipes to any or all the buildings at a very small cost,

Your Committee further State that they are impressed with the importance of locating the Asylum off the main lines of travel, and away from the populous centers, on account of the danger of contagious and epidemic diseases. This point being ten miles Southwest of the town of Dardanelle is perhaps the most healthy locality in the State, where a bountiful supply of all the necessaries of life can be had at moderate rates,

Your Committee further State that the Little Rock and Fort Smith Railroad Co, have agreed to transport all persons intended as inmates of the Asylum free of charge, and their attendants at half rates over their line; Provided, the Asylum be established at the Dardanelle Springs, and any point along their road,

The owners of said property propose to donate $1.000 00 in

cash, or 100.000 feet of pine lumber according to order, to be delivered on the property, and also propose to sell the State this property for the sum of ten thousand Dollars, half cash; the balance on one, two, three, or four years time, at eight per cent. per annum, and they will take the property of the State near Little Rock (heretofore purchased for insane asylum purposes) at whatever the same can or may be sold for; and to facilitate the sale of this property to advantage will give liberal time on a large portion of the purchase money;

To this place we will submit that building material of all kinds is abundant and convenient;

We therefore, as majority of the joint Committee, recommend to the General Assembly of the State of Arkansas, the Dardanelle Springs as the most suitable location for an asylum for the Insane,

Ben. B. Cohen,
M. J. Mulky,
on part of the Senate,
Lewis Miller,
John O. Blackwood
On part of the House,

Mr Barker, on part of the minority, submitted the following report:

To the Honorable Senate and House of Representatives of the State of Arkansas

The undersigned a minority of your joint Committee upon location of our Insane Asylum, feeling constrained to dissent from the majority of the Committee, beg leave to report that they have, with their co-members examined all the locations offered or mentioned to them and recommend that the Asylum be permanently located at Dam Springs in Yell and Conway Counties, four miles and a half from the City of Hot Springs. At that place there is offered to the State for the low price of ten thousand dollars a tract of five hundred acres upon which there is already erected a frame building containing twenty four rooms and which at the expense of not exceeding five hundred dollars can be extended to contain thirty six rooms. There is also upon the land two cottages, a large stable and out houses; an abundance of pure water, sustine, and also a sulphur and chalybeate Springs all within convenient distance of the house; There are two fine natural

barns upon the tract and about twenty acres is under fence, cleared and in cultivation and about 160 acres more, rich and tillable. Clay of good character for making brick, sand, and building stone of an excellent quality are upon the ground, and in the immediate neighborhood to be had for the taking. Fuel can be had upon the ground for ten dollars a thousand feet, and all articles of food needed for the inmates of the Asylum are plentiful, and can be bought at as low prices as at any place in the State. The country is mountainous the air salubrious and free from malaria, and the situation, while sufficiently near Hot Springs, is so retired from town and turmoil, to give the quiet and repose which are essential to the treatment of the insane. In addition to all these advantages, the Hot Springs Street Railroad runs from the Valley in the direction of Avon Springs, and about one mile and a half, from the citizens of Hot Springs offer, if this location is decided upon, to extend the Street railroad to the Asylum; and besides, Joseph Reynolds Esqr. Proprietor of Hot Springs railroad proposes to carry the patients and supplies to and from the Asylum over his road at half rates, and contribute as a donation toward the purchase money of the place suggested the sum of $1000; and a handsome donation toward its erection, Harold Avon offers to donate $500 in cash. An additional donation by the citizens of Hot Springs of $500.00

The undersigned are not disposed to deny the advantages claimed for the Dardanelle Springs; they have no axe to grind on that place, but they think and believe that in every respect the preference should be given to Avon Springs. Dardanelle Springs are sixteen miles from railroad communication, with the Arkansas river to cross. Avon Springs but four and a half, with no ferriage or obstacle between. The difference

in cost of transportation of patients and supplies
will in itself amount to a considerable
annual sum, a weighty consideration, as
all expenses of the institution must be paid
by taxation; for healthfulness, beauty of lo-
cation, amount, purity and variety of water,
Hot Springs are fully equal to Hardanella
Springs, while the former possesses the most
desirable advantages of proximity to the
fast and pretty famous Hot Springs. The
undersigned are informed that nearly
if not quite half of all cases of insanity
are caused by the diseases for the cure
of which the waters of Hot Springs are
specific. Believing this your Committee
cannot but believe, that the use of these
waters would prove beneficial to many
of the unfortunate beings for whom we
are trying to provide, and they are ad-
vised that the great majority of medical
men skilled in treating diseases of mind
concur with them in this opinion. The
immediate expense a bath house, specially
devoted to their use could be dispensed
or erected at Hot Springs and the
short distance and easy means of com-
munication will enable the managers
to give the patient a daily bath, should
it be found necessary.

There is one other matter which we
should mention, which is, that the reputa-
tion of Hot Springs will attract from
this and other States the class of patients
whose friends are able to pay for their
support and treatment, and we believe
that payments from such will at last
in part defray the expenses of the In-
stitution.

After careful examination and
mature deliberation the undersigned
believe for the reasons enumerated
and many minor ones which they
cannot give without too greatly
extending this report that Hot Springs
should be prefered and they respectfully
recommend that land be purchased
and the Asylum there permanently
located

Respectfully

J. M. Whittington
Senate

D. E. Darden.

O. A. Greening
House of Representatives.

On motion of Mr Lee of Monroe the reading of the reports was dispensed with

On motion of Mr Darden of Thurs the House at 12:30 o'clock P.M. took a recess until 2:30 o'clock P.M.

After Recess
at 2:30 o'clock P.M.

The Speaker resumed the Chair and the Clerk called the Roll:

The following members answered to their names: Messrs Archer, Askew, Barnes, Barry, Black (of Bowie) Black (of Randolph,) Bobo, Braly, Britt, Brown, (of White) Bumpass, Burke, Burns, Carter, Chuck, Conway, Crosby, Cruikshank, Davidson (of Sharp) Davidson, (of Izard) Dawson, Demby, Dickinson, Fishback Flippin, Fraser, Furbush, Gillam, Greening, Hare, Harrison, Holmes, Hudson, Jameson, Jordan, Joyner, Kemp, King, Lee (of Howard) Lee (of Newton) Londermilk, Lowe, Mack, Maynard, Martin, McConnell, McCracken, McMurtrey, Miller (of Clark) Miller (of Conway) Minor, Montgomery, Morris (of Carroll) Morris (of Stone) Murphy, Owen, Payne, Priddle, Priddy, Quarles, Riddick, Roden, Shannon, Stanley, Steel, Stubbs, Tate, Thomas, Turner, Tyson, Walker, (of Columbia) Walker (of Washington), Warner, Washburn, Weir, Williams, Mr Speaker,

Quorum Present,

On motion, Mr Keith was excused on account of sickness.

On motion of Mr Davidson (of Sharp) Special order
H.B. No 335 H.B. No. 335 was deferred, in order that he might be al-
H.B. No 330 lowed to report upon H.B. No. 330.

Under a suspension of the rules,

Mr Davidson, (of Sharp) from Committee on County and Probate Courts, made the following report,

Mr. Speaker;

The Committee on County and Probate Courts have had under Consideration H.B. No. 330, "A Bill for an act to fix the salary of the County Judge of Desha County," and have directed me to report back a substitute therefor; with the recommendation that the substitute do pass.

H.B. No 336

The substitute being H.B. No. 336, "A Bill for an Act to repeal an Act approved March 9, 1877," entitled "an Act to amend section Seventy (70) of an act entitled an act fixing the regular terms for holding the County Courts of the State, and fixing the salaries of the County Judges in the several Counties of this State, and to amend sections Twenty (20) and Twenty-five (25); and to re-enact, amend and revive section Seventy (70) of an act entitled an Act fixing the regular terms of holding the County Courts of the State, and for fixing the salary of the County Judges and per diem pay of Associate Justices in the several Counties in this State;"

Which was read a first time,

And, on further suspension of the rules;

H.B. No 336 H.B. No 336 was read a second time; and on motion was made the special order for Monday next at 10 o'clock, a.m.

A message from the Senate was announced;

Mr. Fatherly, assistant Secretary of the Senate, appeared and read as follows;

Senate Chamber, March 7, 1879.

Mr Speaker;

I am instructed by the Senate to inform your Honorable Body of the passage of

H.B. No. 209 H.B. No. 209, "An act to repeal all laws now in force under which Holford Bonds, or the Coupons thereto, are made receivable for the lands of this State."

H.B. No. 95 Also H.B. No. 95, "A Bill for an act to be entitled an act to repeal an act entitled an act to repeal an act entitled an act declaring Petit Jean Creek a navigable stream, approved Janry 10 1861" And herewith respectfully return the same

I am also instructed to inform you of the concurrence

S.B.No. 99. by the Senate in House amendments to S.B. No. 99.

Also the passage of

S.B. No 184 S.B. No. 184, "A Bill to be entitled an act to take Arkansas County from the Eleventh Judicial Circuit and place it in the first judicial Circuit, and to fix the times for holding the Circuit Courts in certain Counties of the First Judicial Circuit."

S.B. No 174 Also S.B. No 174, An act to be entitled an act to encourage the building of Railroads in the State of Arkansas, and for other purposes."

S.B. No. 119. Also, S.B. No. 119, "A Bill to be entitled an act to extend the time in which to present County warrants for reissue in certain cases."

S.B. No 140 Also S.B. No 140, A Bill to be entitled an act to prohibit the Auditor and Treasurer of the State of Arkansas, from carrying forward on their Books and in their reports of the Statement of the Public debt of the State, the bonds heretofore issued by the State to aid in the building of Railroads and Levees."

S.B. No. 132. Also S.B. No. 132, "A Bill to be entitled an act to regulate the practice in suits for injunction, and for the appointment of Receivers."

S.B. No. 133. Also S.B. No 133, "A Bill to be entitled an act to provide for appeals from the finial orders and judgments of the Mayor of Cities of the second Class"

S.B. No. 165 Also S.B. No. 165, "An act to regulate the donation and redemption of forfeited lands, and to repeal Sections 3905, 3906, 3907, 3908, of Gantt's Digest, and for other purposes."

S.B. No 162 Also S.B. No 162, A Bill to be entitled an Act to adjust and settle the accounts of Robt C. Newton, late Treasurer of the State of Arkansas,"

S.B. No 170 Also S.B. No 170, A substitute for No's. 116 & 186, an act to provide for the redemption of delinquent lands, and to repeal sections 5185, & 5186 of Gantt's Digest"

S.B. No 154 Also S.B. No 154, Substitute for No 60, "an act prohibiting the removal from the premises of crops on which liens exist"

And herewith respectfully transmit the same for your favorable consideration.

Lou. T. Kretschman
Secretary,

Under the suspension of the rules formerly ordered

S.B. No. 335 S.B. No 335 was now taken up and read second time.

On motion of Mr. Fishback, the Committee appointed to investigate the charges of bribery was excused for the day,

On motion of Mr Stubbs,
H.B.No 335 H.B.No. 335. was made special order for tomorrow immediately after reading the journal,

On motion of Mr. Walker, (of Washington) the special orders were further deferred; and under suspension of the rules, Mr Walker (of Washington) for Committee on Ways and Means, H.B.No.337 introduced H.B. No 337, "A Bill for" "an act ~~to~~ providing for the expenses of the executive, Legislative, and judicial departments of the State Government",

On motion of Mr. Pridall, the House at 5 40/11 o'clock P.M. took a recess until 7 30/11 o'clock, P.M.,

After Recess, at 7 30/11 o'clock, P.M.,

The speaker resumed the Chair, and the Clerk called the Roll,

The following members answered to their names: Messrs. Archer, Askew, Barker, Barry, Black (of Boone,) Black (of Randolph) Bobo, Braly, Britt, Brown, (of White) Burns, Carter, Chuck, Coody, Creekmore, Davidson, (of Sharp) Davidson, (of Izard) Denby Dickinson, Fishback, Flippin, Fraser, Furbush, Gillam, Greening, Harrison, Holifield, Holmes, Hudson, Jameson, Kemp, King, Lee (of Howard) Lee (of Newton) Lowe, Mack, Martin, McConnell, McCracken, Miller, (of Clark) Miller (of Conway,) Minor, Montgomery, Morris (of Carroll) Morris (of Stone) Murphy, Owen, Pridall, Priddy, Roden, Simmons, Stanley, Steel, Stubbs, Tate, Thomas, Turner, Tyson, Walker, (of Columbia) Walker, (of Washington) Warner, Washburn, Weir, Williams, and Mr. Speaker,

Quorum Present,

On motion Mr Moore was excused for sickness,
Mr. Lowdermick answered to his name,
H.B.No 337 H.B.No 337 was now taken up, and read first time,

On motion of Mr. Walker, (of Washington) the rules were further suspended, and the Bill read a second time,

On motion of Mr Stubbs, the House went into Committee of the Whole for consideration of
H.B.No 337 H.B.No 337, Mr. Braly in the Chair,

After some time spent in committee of the whole, the Committee arose, and the speaker resumed the Chair

Mr Braly, Chairman of Committee of the whole, reported progress, and asked leave for the Committee to sit again

on to-morrow morning at 9 30/11 o'clock, which report was adopted by the House.

On motion of Mr. Harrison, at 10 5/11 o'clock P. M. the House adjourned.

John G. Holland
Clerk

J. N. Beaden
Speaker

House of Representatives.

Little Rock, Arkansas,
Saturday March 8, 1879.

The House met pursuant to adjournment, at 9 o'clock, a.m. the Speaker in the Chair.

The Clerk Called the Roll, and the following members answered to their names: Messrs. Archer, Askew, Barry, Black (of Boone,) Black (of Randolph) Blackwood, Bobo, Braly, Brinkley, Britt, Brown (of Lee) Brown (of White) Bumpass, Burke, Burns, Carter, Chuck, Conway, Coody, Cracraft, Cunningham, Davidson (of Sharp) Davidson (of Izard) Dawson, Denby, Dickinson, Fishback, Flippin, Fraser, Furbush, Gillam, Greening, Hare, Harrison, Holder, Holifield, Holmes, Hudson, Jordan, Joyner, Kemp, King, Lee (of Howard) Lee (of Newton) Love, Mack, Martin, McConnell, McCracken, McMurtrey, Miller (of Conway) Minor, Montgomery, Morris (of Carroll) Morris, (of Stone) Murphy, Owen, Payne, Pindall, Priddy, Quarles, Richardson, Riddick, Roden, Simmons, Stanley, Steel, Stubbs, Tate, Thomas, Turner, Tyson, Walker, (of Columbia) Walker (of Washington) Warner, Washburn, Weir, Williams, Wright, and Mr Speaker.

Quorum Present,

On motion, Messrs. Maynard, Barnett and Taylor were excused.

Rev. Mr. Buchanan, Chaplain of the Senate, offered prayer.

The journal of yesterday's proceedings was read, and no objections being offered thereto, it was signed by the Speaker and Clerk of the House.

A message was announced from the Senate;

Mr. Fatherly, Assistant ~~Clerk~~ Clerk of the Senate, appeared and read as follows:

Senate Chamber, March 7, 1879.

Mr Speaker:

I am instructed by the Senate to inform your honorable body of the passage of

S.B. No. 107 S.B. No. 107; a Bill for "An act to amend the law in relation to the practice upon trials at law in civil cases."

S.B. No. 157 Also S.B. No. 157, An act to amend an act entitled an act to maintain a system of Free Common Schools for the State of Arkansas," approved Dec 7th 1875";

and herewith respectfully transmit the same for your favorable consideration,

Lon T. Kretschmar,
Secretary.

Mr. Braly, from Committee on engrossed Bills, reported back
H.B.# 325. H.B. No. 325, as correctly engrossed"

Mr. Hobson answered to his name.

Mr. Fishback moved to reconsider the vote by which
H.B.# 196 H.B. No. 196, was indefinitely postponed.

The House, by a rising vote of 31 yeas to 24 nays, adopted the motion to reconsider.

Thereupon, Mr Fishback moved that H.B. No 196 be now taken up and placed upon its final passage; pending which

The hour of 9 o/c having arrived, to which time the Special
H.B.# 337 order, (further consideration of H.B. No 337 in Committee of the whole.) was postponed;

On motion of Mr. Braly, the consideration of H.B. No. 196, was postponed, and the House went into Committee of the whole for the further consideration of H.B. No. 337; with

Mr. Minor in the Chair;

After sometime spent in Committee of the whole the Committee arose, and the Speaker resumed the Chair.

The Committee of the whole, through its Chairman, Mr Minor, reported back to the House

H.B. No. 337, with certain amendments; and with the recommendation that the Bill as amended by the Committee do pass,

The amendments to H.B. No 337, as returned by the Committee of the whole, are as follows:

Amendment 1, to Section One, Strike out the second clause,

Amendment 2, to section one, Strike out the words "and prosecuting attorneys pro tem," in the third clause,

Amendment 3, to section one, Strike out "three" and insert "two" in the Sixth clause,

Amendment 4, to Section One, Strike out "three" and insert "two" in the Seventh clause,

Amendment 5, to section one, Add to end of the eleventh clause "four Thousand two hundred Dollars"

Amendment 6, to section one, Add to the end of the twelfth clause "four hundred Dollars,"

Amendment 7, to section one, Strike out nineteenth clause,

Amendment 8 to section one, Strike out "ten" and insert "five" in the twenty-second clause,

Amendment 9 to section one, Strike out the twenty-sixth clause,

Amendment 10 to section one, Strike out the thirty-first clause,

Amendment 11, to section one, Strike out "Five" in thirty-sixth clause,

Amendment 12 to Section one, Strike out "to be paid out of the Common School fund," in thirty-ninth clause.

Amendment 13, to section one, Add, as a new subdivision, the following:

"To supply deficits in the office of Superintendent of Public Instruction, One thousand, Nine hundred and 67/100 Dollars; ($1900, 67/100)."

The amendments of the Committee of the Whole to H.B. No. 337, were read First time.

On motion of Mr. Walker (of Columbia) leave of absence was granted to Master Linde Barry Page.

On motion, Mr King was excused until Monday Morning.

On motion, the rules were suspended, and the amendments of the Committee of the Whole to H.B. No 337, were read a second time.

Mr McConnell, from Committee on Enrolled Bills, reported as follows;

Mr. Speaker:

Your Committee on Enrolled Bills report that they have examined House Bills. No's. 115 & 263, and find them correctly enrolled, signed by the Speaker of the House and President of the Senate, and presented to the Governor for his approval.

McConnell,
Chairman.

H.B. 115 & 263

Which report was received by the House.

A message from the Governor was announced.

Mr. Joblyn, Private Secretary to the Governor, appeared, and read as follows;

State of Arkansas, Executive Office,
Little Rock, March 8th 1879

To the Speaker of the House of Representatives.

Mr. Speaker: I have approved and signed the following Bills:

H.B. 115. H.B. No. 115, An act entitled an act to amend Sections 5098, 5099, 5100, 5102; and to repeal Section 5103 of Gantt's Digest

H.B. 263 H.B. No. 263, An act changing the time for holding the semi-annual terms of the Circuit Court of Phillips County, and giving Lee County an additional week at each of its semi-annual terms of the Circuit Court in First Judicial Circuit

W.R. Miller, Governor.

The question being upon the adoption of the amendments to H.B. No. 337, reported from Committee of the whole.

The First amendment was read, and adopted.

The Second amendment was read, and adopted.

The Third amendment was read; pending action.

On motion of Mr Lee (of Newton) the House at 12 34/11 o'clock P.M, took recess until 2 30/11 o'clock P.M.

After Recess, at 2 30/11 o'clock, P.M,

The Speaker resumed the chair, and the clerk called the Roll; The following members answered to their names: Messrs. Archer, Askew, Barker, Black, (of Boone), Black (of Randolph) Blackwood, Bobo, Braly, Britt, Bumpass, Burns, Burns, Carter, Chuck, Conway, Creekmore, Davidson, (of Sharp) Davidson (of Izard) Dawson, Dickinson, Fishback, Flippin, Fraser, Furbush, Gillam, Greening, Hare, Harrison, Holifield, Holmes, Hudson, Jordan, Joyner, Kemp, Lee, (of Howard), Lee (of Newton) Maynard, Martin, McConnell, McCracken, McMurtrey, Miller, (of Conway) Minor, Montgomery, Morris (of Stone), Owen Payne, Priddy, Quarles, Richardson, Roden, Simmons, Stanley, Steel, Stubbs, Tate, Thomas, Turner, Tyson, Walker, (of Washington) Walker, (of Columbia) Washburn, Weir, Williams, Wright, Mr. Speaker, Quorum Present.

The question being on the adoption of the third amendment of the Committee of the whole to
H.B. No. 337 H.B. No. 337,
The amendment was lost.

On motion, Mr. Jameson was granted indefinite leave of absence.

On motion, Mr. Mack was granted leave of absence until Monday next.

On motion, Mr. Lowe was granted leave of absence until Wednesday next;

The Fourth amendment of the Committee of the whole to H.B. No 337, was read.

The question being upon the adoption of the 4th amendment, Mr Bobo moved the previous question; which was sustained.

And the main question, shall the 4th amendment be adopted, being now put, it was lost. So the 4th amendment was not adopted.

Mr. Brinkley answered to his name.

The fifth amendment of the Committee of the whole to H.B. No 337, was read and adopted.

The Sixth amendment was read and adopted.

The Seventh amendment was read and adopted.

The Eighth Amendment was read and rejected.

A message was announced from the Senate.

Mr. M. A. Fatherly, Assistant Secretary of the Senate appeared, and read as follows:

Senate Chamber, March 8. 1879.

Mr. Speaker:

I am instructed by the Senate to inform your honorable body of the passage of

H.B. No. 210. H.B. No. 210, An act to be entitled an act to prevent obstructing the Channel of Bayou Bartholomew: Also

H.B. No. 183. H.B. No. 183, A Bill to be entitled an act to regulate the letting of Public contracts, approved Nov. 28th, 1874; Also

H.B. No. 172. H.B. No. 172, An act entitled an act for the benefit of Fort Smith District High School, located at Bonneville, in the County of Logan.

And herewith respectfully return the same.

Leo. T. Kretschman,

Secretary.

I am also instructed to inform you of the passage of

S.B. No. 179. S.B. No. 179, a substitute for No. 114; An act entitled an act for the management and disposition of persons convicted of misdemeanors, and committed to the County Jail." Also.

S.B. No. 147. S.B. No. 147, A Bill for an act authorizing the Attorney General with the approval of the auditor, to compromise and settle any cases now pending, or which may hereafter be brought in Courts enjoining or restraining the collection of taxes in any of the Counties in this State." Also"

S.B. No. 104. S.B. No. 104, A Bill for an act to restore to Perry County territory improperly detached therefrom and attached to Conway County, under an act entitled an act to create the County of Faulkner and for other purposes, approved April 11th 1873. Also

S.B. No. 161. S.B. No. 161, a Bill to be entitled an act to define the 11th Judicial Circuit, and to fix the times for holding the Circuit Courts therein; Also

S.B. No. 171. S.B. No. 171, A Bill for an act to donate certain lands of the State to the Little Rock, Mississippi River and Texas Railroad.

And herewith respectfully transmit the same for your favorable consideration.

Leo. T. Kretschman,

Secretary.

The question being the adoption of the Ninth amendment of the Committee of the whole. to H.B. No 337, the 9th amendment was read, and

Mr. Lee (of Newton) moved to reject: and upon that moved the previous question; which was ordered.

The question being upon the motion of Mr. Lee (of Newton) to reject the Ninth amendment;

Mr Fraser called for the ayes and noes; which call being sustained,

The clerk proceeded to call the roll. The following members voted in the affirmative: (Messrs. Archer, Black (of Randolph) Blackwood, Braly, Bunce, Conway, Creekmore, Davidson (of Sharp) Davidson (of Izard) Dawson, Dickinson, Furbush, Greening, Hare, Lee (of Newton) Minor Montgomery Owen, Payne, Pindall, Priddy, Quarles, Stanley, Tate, Thomas, Tyson, Walker (of Columbia) Walker (of Washington) Washburn, Weir, Wright, Mr Speaker, = 32,

In the negative: Messrs. Askew, Barker, Brinkley, Britt, Burns, Carter, Celuck, Clenby, Fishback, Flippin, Fraser, Gillam, Harrison, Holder, Holifield, Holmes, Hudson, Jordan, Joyner, Kemp, Lee (of Howard) Maynard, McConnell, McCracken, McMurtrey, Miller (of Conway) Morris (of Carroll) Morris (of Stone) Richardson, Roden, Simmons, Steel, Stubbs, Turner, Williams = 35,

So the motion to reject was lost;

The question recurring upon the adoption of the 9th amendment of Committee of the Whole,

The amendment was adopted,

The Tenth amendment of Committee of the Whole was read and lost,

The Eleventh amendment of Committee of the whole was read and lost

The Twelfth amendment of Committee of the whole was read and adopted.

The additional subdivision of Committee of the whole, (Amendment thirteen) was read and adopted,

Mr. Fishback offered an additional amendment, as follows: "For publication of the journals of the House and Senate; Five Thousand Dollars";

Mr. Richardson moved to reject the amendment.

Upon which motion to reject, the ayes and noes were called, and the call being sustained, the Clerk called the Roll.

The following members voted in the affirmative: Messrs: Askew, Black (of Boone) Blackwood, Bobo, Braly, Burns, Conway, Creekmore, Davidson (of Izard) Dawson, Demby, Dickinson, Fishback, Flippin, Fraser, Gillam, Greening, Holifield, Jordan, Kemp, McConnell, Miller (of Conway) Montgomery, Morris (of Carroll) Morris (of Stone) Priddy, Quarles, Tate, Washburn, Williams, Wright, = 31.

In the negative: Archer, Barker, Black (of Randolph) Brickley, Britt, Bunce, Carter, Celuck, Davidson (of Sharp) Furbush, Hare, Harrison Holder Holmes Hudson, Joyner, Lee (of Howard) Lee (of Newton) Maynard, McCracken, Minor, Owen, Payne, Pindall, Richardson, Roden, Simmons, Stanley, Steel, Stubbs, Thomas, Turner, Tyson, Walker, (of Columbia) Walker (of Washington) Weir, Mr Speaker, 37,

So the amendment was lost.

Mr Hobson answered to his name.

The Seventeenth subdivision of Section one, of Art 13, to 337, was read,

Mr Braly moved to ~~reject~~ Dismiss it

Mr. Quarles. called for the ayes and noes on the motion to reject; which call being sustained, the Clerk called the Roll.

6

The following members voted in the affirmative, Messrs: Askew, Barker, Black (of Boone) Black, (of Randolph) Bobo, Braly, Britt, Burns, Carter, Celuck, Conway, Creekmore Davidson, (of Izard) Hare, Harrison, Hobson, Holder, Holifield, Jordan, Joyner, Kemp, Maynard, McConnell, McCracken, Miller (of Conway) Minor, Morris (of Stone) Owen, Pindall, Priddy, Roden, Simmons, Stanley, Steel, Stubbs, Turner, Weir, Mr Speaker, = 38,

In the negative, Askew, Blackwood, Bumpass, Bunce, Davidson, (of Sharp) Dawson, Demby, Dickinson, Fishback Flippin, Fraser, Furbush, Gillam, Greening, Holmes, Hudson, Lee (of Howard) Lee, (of Newton) Montgomery, Morris (of Carroll, Payne, Quarles, Richardson, Tate, Thomas, Tyson, Walker, (of Columbia,) Walker, (of Washington) Washburn, Wright. 30.

So the, motion to ~~reject~~ Dismiss prevailed.

Mr Williams sent to the speaker's desk the following explanation:

I would have, voted no clerk for the State Superintendent of Public instruction. I want myself on record as such

Williams.

Mr Fraser offered the following amendment

I move to amend by adding to the first section that 4000 be appropriated for the publishing of the Journals of the present General Assembly

Mr Harrison moved to reject

Mr Braly moved to ~~further~~ amend by striking out 4000 and inserting 2500

The amendment was received the first time

The rules suspended and the amendment read a second time

Upon the question of the adoption of the amendment to the amendment Mr Joynes called for the ayes and noes which being ordered

The Clerk called the Roll
The following members voted in the affirmative: Aiken, Black (of Bone) Blackwood Bobo, Braly, Burns, Chuck, Conway, Creekmore, Davidson (of Ogard) Dawson, Denby, Dickinson Fishback, Flippin, Fraser, Gillam, Greening Hobson, Holcfield, Jordan McCancee, Miller (of Conway) Montgomery, Morris (of Carroll) Morris (of Stone) Pindall, Priddy, Quarles, Tate, Walker (of Columbia) Washburn, Weir, Williams and Wright = 35

In the negative: Archer, Barker, Black, (of Randolph) Brickley, Britt, Bumpass, Burnes, Carter, Davidson (of Sharp) Fairbank, Hare, Harrison, Holder, Holmes, Hudson, Joyner, Kemp, Lee (of Howard) Lee (of Newton) Maynard, Martin, McCracken, McMurtrey, Minor, Owen, Payne, Richardson Rosen, Simmons, Stanley Steele Stubbs Thomas Turner Tyson, and Mr. Speaker, 36.

So the amendment to the amendment was lost,

The question recurring upon the adoption of the amendment of Mr. Fraser; it was lost,

On motion of Mr Weir;
H.B. No 337 was ordered engrossed; and made special order for Monday next immediately after reading the journal,

On motion of Mr. Flippin, the special orders were deferred; and under suspension of the rules

H B # 290 H. B. No. 290, was taken up and read second time.

Under further suspension of the rules, the bill was read a third time.

The question being upon the passage of the Bill, the clerk called the roll;

The following members voted in the affirmative, Messrs. Archer, Askew, Barker, Black (of Boone) Black, (of Randolph) Bobo, Braly, Brumpass, Burke, Burns, Carter, Cheek, Conway, Cracmore, Davidson (of Sharp) Davidson (of Izard) Dawson, Denehy, Dickinson, Fishback, Flippin, Fraser, Gillam, Greening, Hane, Harrison, Holder, Hollensfield, Holmes, Hudson, Jordan, Joyner, Kemp, Lee (of Howard) Lee (of Newton) Maynard, Martin, McConnell, McCracken, McMurtrey, Miller (of Conway) Minor, Morris (of Carroll) Morris (of Stone) Payne, Pendall, Priddy, Quarles, Richardson, Roden, Stanley, Steel, Stubbs, Tate, Turner, Tyson, Walker, (of Columbia) Washburn, Williams, Wright, Mr. Speaker, = 60.

None voting in the negative,

In the affirmative	60
In the negative	0
Absent and not voting	33
	93

So H. B. No. 290. Passed.

On motion of Mr. Braly, the special orders were deferred, and under suspension of the rules:

H B # 162. P. B. No. 162, was taken up and read first time.

On further suspension of the rules, the Bill was read a second time; and

On Motion of Mr Braly, was made a special order for Monday next at 10 o'clock A.M.

A message from the Senate was announced,

Mr. Fatherly, Assistant Secretary of the Senate appeared and read as follows:

Senate Chamber, March 8, 1879.

Mr. Speaker:

I am instructed by the Senate to inform your Honorable Body of the passage of

H B # 276 H. B. No. 276, An act to amend an act entitled An act to alter the 5th, 7th & 8th Judicial Circuits of the State of Arkansas, and to create the 12th Judicial Circuit; and to fix the times for holding terms in the Counties composing said Circuits;

H.B. 195 Also, H.B. No 195, An act for the prevention of cruelty to Animals;

H.B. 297 Also, H.B. No. 297; An act to prescribe the time for holding the Circuit Courts in the 8th Judicial Circuit;

H.B. 179 Also, H.B. No 179, A Bill for an act to amend Section 5336 of Gantt's Digest, and for other purposes"

And herewith respectfully return the same,

Jno T. Kretschmar,

Secretary,

On motion of Mr. Flippin, the Special orders were deferred, and under suspension of the rules

S.B. 158 S.B. No. 158 was taken up and read first time,

On further suspension of the rules, the bill was read a second time; and

On motion of Mr. Flippin was made the special order for Monday next at 10 o'clock, am,

On motion of Mr. McConnell, the special orders were deferred; and on suspension of the rules

H.B. 11 H.B. No 11 was taken up and read the third time,

The question being upon the passage of the Bill, the Clerk called the roll;

The following members voted in the affirmative; Messrs: Black (of Boone,) Black (of Randolph) Bobo, Bimpass, Burns, Carter, Selick, Conway, Creekmore, Dickinson, Fishback, Flippin, Fraser, Furbush, Greening, Harrison Hobson, Holder, Holifield, Holmes, Jordan, Joyner, Kemp, Lee (of Howard) Maynard, McConnell, McCracken, McMurtrey, Minor, Montgomery, Morris (of Carroll) Morris (of Stone) Owen, Priddle, Priddy, Roden, Stanley, Tate, Turner, Tyson, Williams = 41

In the negative; Archer, Askew, Davidson (of Sharp) Davidson (of Izard) Denby, Martin, Quarles, Stubbs, Walker; (of Columbia) Mr. Speaker, = 10.

In the affirmative = 41
In the negative — 10
absent and not voting — 42
93

So H.B. No 11 passed,

On motion, Mr Brown (of Lee) was granted leave of absence,

On motion of Mr. Priddy, the Special orders were deferred; and under suspension of the rules.

S.B. No. 103. S.B. No. 103, was taken up and read the third time,

The question being upon the passage of the Bill, The Clerk called the Roll;

The following members voted in the affirmative; Messrs: Archer, Askew, Barker, Black (of Boone) Bobo, Bumpass, Burns, Carter, Cheek, Conway, Creekmore, Davidson (of Sharp) Davidson, (of Izard) Denby, Dickinson, Fishback, Flippin, Fraser, Furbush, Gillam, Greening, Hare, Harrison, Hobson, Holder, Holmes, Hudson, Jordan, Jordan, Kemp, Lee (of Howard) Maynard, McConnell, McCracken, McMurtrey, Miller (of Conway) Minor, Morris (of Stone) Owen, Pindall, Priddy, Quarles, Roden, Simmons, Stanley, Stubbs, Tate, Turner, Tyson, Walker, (of Columbia) Williams, and Mr. Speaker; — 52;

None voting in the negative;

In the affirmative,	52,
In the negative	0
Absent and not voting	41
	93

So S.B. No. 103 passed,

On motion, the House at 5 45/60 o'clock, P.M. took a recess until 7 30/60 o'clock, P.M.

After Recess, at 7.30 o'clock P.M.

The Speaker resumed the Chair; and the Clerk called the roll;

The following members answered to their names; Archer, Askew, Barker, Black (of Boone) Black (of Randolph) Bobo, Braly, Britt, Burice, ~~Burnpass~~, Burns, Carter, Cheek, Conway, Creekmore, Davidson (of Sharp) Davidson, (of Izard) Denby, Dickinson, Fishback, Flippin, Fraser, Gillam, Greening, Harrison, Holifield, Holmes, Jordan, Kemp, Lee (of Howard) Lee (of Newton) Martin, McConnell, McCracken, Miller, (of Conway,) Minor, Montgomery, Morris (of Carroll) Morris (of Stone) Murphy, Pindall, Priddy, Quarles, Roden, Stanley, Steel, Stubbs, Tate, Thomas, Turner, Tyson, Walker (of Columbia) Walker, (of Washington) Washburn, Weir, Williams, and Mr Speaker, Quorum present,

Messrs Maynard ~~and Brown (of white)~~ answered to their names,

Mr. Fraser moved to defer the special orders, and take up H.B. No. 239, H.B. No. 239,

Mr. Fishback moved to amend by deferring the special orders, and taking up H.B. No. 335,

Mr. Barker moved, as a substitute, to defer special orders, and take up Senate Bills on First reading,

Mr. Stubbs moved the previous question, which was ordered; and the question being upon the adoption of the substitute of Mr Barker, — the substitute was lost,

The question being upon the amendment of Mr. Fishback, the amendment was carried,

Therefore the special orders were deferred, and
Nb# 335 H.B. No. 835 was taken up;

Mr. Stubbs offered the following amendments as additional Sections, to-wit:

1st Amendment;

"The compensation of Assessors and Sheriffs for services under this act shall be as follows, to-wit: The assessors shall receive for each name listed twelve and one half (12½) cents, and all the property belonging to one individual or corporation in the County, to be counted as one name,

"For each list of real property the owner or owners of which are unknown, twelve and one half (12½) cents; and all such lands in one Township and range to be embraced or counted as one list."

Second Amendment,

"The Sheriffs shall receive for commission for collection of taxes, three (3) per cent, for the first twenty thousand ($20,000^{00}) dollars, and two (2) per cent, for all sums above that amount, to be paid in Kind.

For collecting and paying over all fines, penalties and forfeitures, three (3) per cent,"

On motion, the rules were suspended, and the Amendments were read a second time,

And last,

Mr. Walker (of Columbia) offered the following amendment, to-wit:

"I move to amend section Seven by striking out all after the word "conviction" in fourth line, to the word "and" which occurs after the word "State" in the Sixth line,"

Which amendment was not agreed to,

Mr. Davidson, (of Izard) moved to amend section six by striking out "except the same is sold for medical purposes," Which amendment was adopted,

Mr. Davidson (of Izard) moved to amend section Eight by striking out "except the same be sold for medical purposes"

Which amendment was adopted.

Mr. Pindall moved to amend section Seven by adding the words "of record" after the word "Court."

Which amendment was not agreed to.

Mr Black of Boone was excused and Mr Barry was granted leave of absence until Tuesday next.

Mr Pate moved to place the bill on its third reading and final passage

Upon a division being called for the House by a rising vote of 18 yeas to 29 nays refused to agree

Mr Pindall offered the following Amendment to Sec 8.

Provided that nothing in the five preceding paragraphs shall apply to River Boats to tax them for selling corn, oats, Bacon, Meat, Potatoes, Cabbage, Turnips, flour, Meal and other produce

Which was not agreed to

Mr Archer moved to table the bill and amendments

The House by a rising vote of 11 yeas to 29 nays refused to table

Mr Steel offers the following Amendment

Amend Section 115. by striking out 1st December and insert in lieu thereof 1st November and strike out 15th March and insert 1st of March

Not agreed to

Mr Archer moved to amend by striking out the Sixth Section

Mr Phippin moved to reject the motion

Not agreed to

The question recurring on the motion of Mr Archer to strike out Section six

Motion adopted

Mr. Stubbs moved to strike out the 5th subdivision of Section Eight.

Which motion was carried.

Mr. Turner moved to strike out the 25 per cent penalty in Section Twenty-Eight (28)

Which was rejected.

Mr. Conway moved to read H.B. No 335 the third time, and place it upon its passage.

On motion of Mr. Pindall the ayes and noes were called upon Mr. Conway's motion; which being ordered.

The clerk proceeded to call the roll,

The following members voted in the affirmative; Messrs: Bobo, Burke, Carter, Chuck, Conway, Davidson (of Sharp) Davidson (of Izard,) Kemby, Dickinson, Fishback, Flippin, Greening, Holmes, Kemp, Morris (of Carroll) Morris (of Stone) Quarles, Tate, = 18.

In the negative: Archer, Askew, Barker, Black (of Randolph,) Brady, Burnes, Cockburn, Fraser, Gilliam, Hobson, Hudson, Jordan, Martin, McConnell, McCracken, Miller (of Conway) Montgomery, Murphy, Owen, Pindall, Priddy, Roden, Simmons, Stubbs, Turner, Tyson, Walker, (of Columbia) Williams, and Mr. Speaker, = 29.

So Mr. Conway's motion was lost.

On motion of of Mr. Davidson (of Izard) the House at 9 o'clock P.M. adjourned.

John G. Holland
Clerk

J. N. Reardon
Speaker

"House of Representatives"

Little Rock, Arkansas,
Monday, March 10. 1879.

The House met pursuant to adjournment at 9 oo o'clock, am, The Speaker in the Chair.

The Clerk called the Roll, and the following members answered to their names: Archer, Askew, Barnett, Barnes, Barry, Black (of Boone) Black (of Randolph) Blackwood, Bobo, Braly, Brickley, Britt, Brown (of Lee) Brown (of White) Bumpass, Burke Burns, Carter, Chick, Conway, Coody, Creekmore, Cunningham Davidson (of Sharp) Davidson (of Izard) Dawson, Denby, Dickinson, Fishback, Flispkin, Fraser, Furbush, Gillam, Greening, Hanly, Hare, Harrison, Holder, Holifield, Holmes, Hudson, Jordan, Joyner, Keith, Kemp, King, Lee (of Howard) Lee (of Newton) Lowdermick, Mack, Maynard, Martin, McConnell, McCracken, McMurtrey, Miller (of Clark) Miller (of Conway) Minor, Montgomery, Moore, Morris (of Carroll) Morris (of Stone) Owen, Payne, Pindall, Priddy, Quarles, Riddick, Richardson, Roden, Simmons, Stanley, Steel, Stubbs, Tate, Thomas, Turner, Tyson, Walker (of Columbia) Walker, (of Washington) Warner, Washburn, Weir, Williams, Wright, Mr Speaker,

Quorum Present,

Rev. Mr Dye offered prayer,

Mr. Braly, from Committee on Engrossed Bills, reported back H.B. No. 337, as correctly engrossed. H.B. # 337

The journal of ~~yesterday's~~ last Saturday proceedings was read, and there being no objections thereto, it was signed by the Speaker and Clerk of the House,

On motion of Mr. Fishback, leave of absence for the day was granted the Committee for investigation of the charge of bribery,

On motion of Mr Baker, the House joint Committee on Penitentiary was excused, for the day,

Mr. McConnell, from Committee on Enrolled Bills, reported as follows:

Mr. Speaker:

Your Committee on Enrolled Bills report that they have examined H.B. No. 129—209—95—181—103—269, and find said Bills correctly enrolled, signed by the Speaker of the House, and President of the Senate and H.B. # 129, 209, 95, 181, 103 & 269

have presented them to his excellency the Governor for his consideration.

McConnell, Chairman,

H.B.# 337 The Special order for this hour being H.B. No. 337

On motion of Mr Walker, (of Columbia) the Bill was read the third time, and placed upon its passage

The question being shall the Bill pass?

The Clerk called the Roll, and the following members voted in the affirmative; (Messrs: Archer, Aslew, Barnett, Barry, Black (of Randolph) Blackwood, Bobo, Brinkley, Britt, Brown (of Lee) Brown (of White) Bumpass, Bunce, Burns, Carter, Chuck, Conway, Creekmore, Cunningham, Davidson (of Izard) Dickinson, Flispain, Gillam, Greening, Hanly, Hane, Harrison, Hoeder, Holifield, Hudson, Jordan, Kemp, King, Lee (of Howard) Lee (of Newton) Lowdermilk, (Mack, Maynard, Martin, McConnell, McCracken, McMurtrey, Miller (of Clark) Minor, Morris (of Carroll) Morris (of Stone) Owen, Payne,) Pindall, Priddy, Quarles, Riddick, Richardson, Roden, Stanley, Stubbs, Tate, Turner, Tyson, Walker, (of Columbia) Walker (of Washington) Warner, Washburn, Weir, Wright, and Mr. Speaker, = 66,

On the negative: Leroody, Dawson, Denby, Fairbush, Miller (of Conway) Montgomery, Moore, Murphy, Williams = 9

On the affirmative	66
On the negative	9
Absent and not voting	18
	93

So H.B. No. 337 passed.

On motion of Mr. Walker (of Columbia) the rules were suspended, and

H.B.# 56 H.B. No. 56 was taken up and read the third time and placed upon its passage:

A message from the Senate was announced:

Mr. Fatherly, assistant Secretary of the Senate, appeared and read as follows:

Senate Chamber, March 10. 1879,

Mr. Speaker:

I am instructed by the Senate to request of your Honorable body the return of the following Bills:

S.B.# 147. S.B. No. 147: "A Bill for an act authorizing the Attorney General, with the approval of the auditor, to compromise and settle any cases now pending or which may hereafter be brought in any Court enjoining or restraining the Collector of Taxes

"House of Representatives"

Little Rock, Arkansas,
Monday, March 10. 1879.

The House met pursuant to adjournment at 9oo o'clock, am, The Speaker in the Chair.

The Clerk called the Roll, and the following members answered to their names: Archer, Askew, Barnett, Barrier, Barry, Black (of Boone) Black (of Randolph) Blackwood, Bobo, Braly, Brickley, Britt, Brown (of Lee) Brown (of White) Bumpass, Burke Burns, Carter, Chick, Conway, Coody, Creekmore, Cunningham Davidson (of Sharp) Davidson (of Izard) Dawson, Demby, Dickinson, Fishback, Flipkin, Fraser, Furbush, Gillam, Greening, Hailey, Hare, Harrison, Holden, Holifield, Holmes, Hudson, Jordan, Joyner, Keith, Kemp, King, Lee (of Howard) Lee (of Newton) Lowdermilk, Mack, Maynard, Martin, McConnell, McCracken, McMurtrey, Miller (of Clark) Miller (of Conway) Minor, Montgomery, Moore, Morris (of Carroll) Morris (of Stone) Owen, Payne, Pindall, Priddy, Quarles, Riddick, Richardson, Roden, Simmons, Stanley, Steel, Stubbs, Tate, Thomas, Turner, Tyson, Walker (of Columbia) Walker, (of Washington) Warner, Washburn, Weir, Williams, Wright, Mr Speaker,

Quorum Present,

Rev. Mr Dye offered prayer,

Mr. Braly, from Committee on Engrossed Bills, reported back
HB# 337 S.B. No. 337, as correctly engrossed.

The journal of ~~yesterday's~~ last Saturday's proceedings was read, and there being no objections thereto, it was signed by the Speaker and Clerk of the House,

On motion of Mr. Fishback, leave of absence for the day was granted the Committee for investigation of the charge of bribery.

On motion of Mr Baker, the House joint Committee on Penitentiary was excused, for the day,

Mr, McConnell, from Committee on Enrolled Bills, reported as follows:

Mr. Speaker:

Your Committee on Enrolled Bills report
HB# 129, 209, 75, 181, 103 & 269 that they have examined H.B. No. 129—209—95—181—103—and 269, and find said Bills correctly enrolled, signed by the Speaker of the House, and President of the Senate and

have presented them to his excellency the Governor for his consideration.

McConnell, Chairman,

H.B.# 337 The Special order for this hour being H.B. No. 337

On motion of Mr Walker, (of Columbia) the Bill was read the third time, and placed upon its passage

The question being shall the Bill pass?

The Clerk called the Roll, and the following members voted in the affirmative; (Messrs: Archer, Askew, Barnett, Barry, Black (of Randolph) Blackwood, Bobo, Brinkley, Britt, Brown (of Lee) Brown (of White) Bumpass, Bunce, Burns, Carter, Chuck, Conway, Creekmore, Cunningham, Davidson (of Izard) Dickinson, Flispatrick, Gillam, Greening, Hanly, Hane, Harrison, Holder, Holifield, Hudson, Jordan, Kemp, King, Lee (of Howard) Lee (of Newton) Lowdermilk, (Mack, Maynard, Martin, McConnell, McCracken, McMurtrey, Miller (of Clark) Minor, Morris (of Carroll) Morris (of Stone) Owen, Payne,) Pindall, Priddy, Quarles, Riddick, Richardson, Roden, Stanley, Stubbs, Tate, Turner, Tyson, Walker, (of Columbia) Walker (of Washington) Warner, Washburn, Weir, Wright, and Mr. Speaker, = 66,

In the negative: Coody, Dawson, Denby, Furbush, Miller (of Conway) Montgomery, Moore, Murphy, Williams = 9

In the affirmative	66
In the negative	9
Absent and not voting	18
	93

So H.B. No. 337 passed.

On motion of Mr. Walker (of Columbia) the rules were suspended, and

H.B.# 56 H.B. No. 56 was taken up and read the third time and placed upon its passage:

A message from the Senate was announced:

Mr. Fatherly, assistant Secretary of the Senate, appeared and read as follows:

Senate Chamber, March 10, 1879.

Mr. Speaker:

I am instructed by the Senate to request of your Honorable body the return of the following Bills:

S.B.# 147. S.B. No. 147: "A Bill for an act authorizing the Attorney General, with the approval of the auditor, to compromise and settle any cases now pending or which may hereafter be brought in any Court enjoining or restraining the Collector of Taxes

in any of the Counties of the State; Also.

S. B# 119. S. B. No. 119, A Bill to be entitled an act to extend the time in which to present County warrants for re-issue in certain cases."

And herewith respectfully transmit the same.

Lon T. Kretschman

Secretary,

H.B# 56 The question being shall H.B. No. 56 pass;

The Clerk called the roll; and the following members voted in the affirmative: Messrs: Archer, Askew, Barry, Black (of Randolph) Blackwood, Bobo, Brinkley, Britt, Brown (of Lee) Brown (of White) Bumpass, Burris, Burns, Carter, Chuck, Conway, Coody, Creekmore, Cunningham, Denby, Dickinson, Flippin, Furbush, Gilliam, Greening, Hanly, Hare, Harrison, Hatfield, Holifield, Hudson, Jordan, Kemp, King, Lee (of Howard) Lee (of Newton) Lowdermilk, Mack, Maynard, Martin, McConnell, McCracken, McMurtrey, Miller (of Clark) Miller (of Conway,) Minor, Moore, Morris (of Carroll) Morris (of Stone) Murphy, Owen, Payne, Priddy, Quarles, Riddick, Richardson Roden, Stanley, Stubbs, Tate, Turner, Tyson, Walker (of Columbia) Walker (of Washington) Warner, Washburn, Weir, Williams, Wright, and Mr Speaker, = 70.

In the negative = Messrs: Barnett, and Dawson = 2

In the affirmative 70
In the negative 2
Absent and not voting 21
93:

So H.B. No 56. passed.

Mr. Dawson sent to the Clerk's desk the following: "I vote no, because I do not believe the appropriation sufficient for the success and maintenance of the Institution

Dawson, of Jefferson."

H.B# 285. On motion of Mr Walker (of Columbia) the rules were further suspended, and H.B. No. 285, was taken up and read the third time:

The question being shall the Bill pass;

The Clerk called the roll, and the following members voted in the affirmative:

Messrs: Archer, Askew, Barnett, Barry, Black (of Randolph) Blackwood, Bobo, Brinkley, Britt, Brown (of Lee) Brown (of White) Bumpass, Burris, Burns, Carter, Chuck, Conway, Coody, Creekmore, Davidson (of Izard), Denby, Dickinson, Flippin, Furbush, Gilliam, Greening, Hanly, Hare, Harrison, Holder, Holifield, Hudson, Jordan, Keith

Kemp, King, Lee (of Howard) Lee (of Newton) Lowdermilk, Mack, Maynard, Martin, McConnell, McCracken, McMurtrey, Miller (of Clark) Miller (of Conway) Minor, Moore Morris (of Carroll) Morris (of Stone) Murphy, Owen, Payne, Priddy, Quarles, Riddick, Richardson, Roden, Stanley, Stubbs, Tate, Turner, Tyson, Walker, (of Columbia) Walker, (of Washington) Warner, Washburn, Weir, Williams, Wright and Mr Speaker. — 72.

On the negative — Mr Dawson — 1

On the affirmative — 72
On the negative — 1
absent and not voting — 20
93

"So H.B. No. 285, passed."

Mr Dawson sent to the Clerk's desk the following:
"I vote no, because I do not believe the appropriation is sufficient to maintain and secure the success of the Institution."

Dawson, of Jefferson."

Mr. Turbeville called up the motion to reconsider the vote H.B. #22 — by which H.B. No 22 failed to pass.

The question being shall the vote by which H.B. No 22, failed to pass be reconsidered

It was not agreed to.

On motion of Mr. Stubbs, Special order H.B. No. 886. was deferred, and

H.B. #302 — H.B. No. 302 was taken up:

On motion, the House went into Committee of the whole for the consideration of H.B. No. 302; with

Mr Hanly in the Chair:

...

After some time spent in Committee of the Whole, the Committee arose, and the Speaker resumed the Chair:

Mr. Hanly, Chairman of Committee of the whole, reported H.B. #302 — back to the House H.B. No. 302, with sundry amendments, with the recommendation that the Bill as amended by the Committee of the whole do pass.

The amendments from the Committee of the whole are as follows:

1st Amendment: Amend section one as follows: "Insert "June 15," before 1879 and 1881"

2d amendment. Strike out "ten thousand eight hundred" and insert "five thousand" in lieu thereof in first paragraph"
3d amendment, Strike out "ten thousand" and insert "five thousand" in lieu thereof in Second paragraph.
4th Amendment: Strike out the fourth paragraph.
The amendments were read first time.

On motion, the rules were suspended, and the First amendment read a second time, and adopted.

On motion, the rules were suspended, and the Second amendment read a second time,

Mr Stubbs moved to reject the second amendment.

On Mr Stubbs motion Mr Richardson moved the previous question, which was ordered:

The main question being Mr. Stubbs motion to reject the, the second amendment:

Mr. Fishback called for the yeas and noes: which call being sustained, the clerk called the roll,

The following members voted in the affirmative, Messrs. Archer, Barker, Barry, Braly, Brown (of Lee) Brown (of White) Bumpass, Bunce, Chick, Coody, Creekmore, Cunningham, Davidson (of Sharp) Dawson, Dickinson, Fishback, Filippini, Furbush, Gillam, Greening, Hanly, Holder, Holmes, Hudson, Jordan, Keith, Lee (of Howard) Martin, McMurtrey, Minor, Montgomery, Moore, Payne, Pindall, Priddy, Quarles, Richardson, Simmons, Stanley, Stubbs, Tyson, Walker (of Columbia) Walker, (of Washington) Weir, Wright, Mr Speaker, = 46.

In the negative: Askew, Barnett, Black (of Pope) Black (of Randolph) Blackwood, Bobo, Brinkley, Britt, Bunn, Carter, Davidson, (of Izard) Denby, Hare, Harrison, Holifield, Kemp, King, Lee (of Newton) Londermilk, Mack, Maynard, McConnell, McCracken, Miller (of Clark) Miller (of Conway) Morris (of Carroll) Morris, (of Stone) Owen, Riddick, Roden, Steel, Tate, Thomas, Turner, Warner, Washburn, Williams, = 37:

So the second amendment was rejected:

The following members were excused from voting; Messrs: Fraser, Joyner, = 2

Mr. Martin sent the following to the clerk's desk:

"Mr. Speaker,

As a compliment to my friend, of Independence, for his support to the Blind and Mute Institutes I vote Aye on his proposition to strike out." Martin.

On motion the rules were suspended, and the Third amendment read a second time

and adopted.

On motion, the rules were suspended, and the Tenth amendment read a second time, and adopted.

On motion of Mr Walker, (of Washington)

H.B.#302 H.B. No. 302 was ordered engrossed, and made the Special order for tomorrow morning, immediately after reading the Journal.

On motion of Mr. Flippin, the special order was deferred,

S.B.#158. and S.B. No. 158 was taken up, and under suspension of the rules read the third time.

The question being shall the Bill pass; the Clerk called the roll;

The following members voted in the affirmative: Messrs: Archer, Askew, Barnett, Bauer, Barry, Black (of Bone) Black (of Randolph) Blackwood, Bobo, Brinkley, Britt, Brown (of Lee) Brown (of White) Bumpass, Bunce, Burns, Carter, Chick, Conway, Coody, Creekmore, Cunningham, Davidson (of Sharp) Davidson (of Izard) Dawson, Dickinson, Flippin, Fraser, Furbush, Greening, Hanley, Hane, Harrison, Holden, Holifield, Holmes, Hudson, Ireland, Joyner, Keith, Kemp, King, Lee (of Howard) Lee (of Newton) Lowdermick, Mack, Maynard, Martin, McConnell, McCracken, McMurtrey, Miller (of Clark) Miller (of Conway) Minor, Moore, Morris (of Carroll) Morris (of Stone) Murphy, Owen, Payne, Pindall, Priddy, Quarles, Riddick, Richardson, Rosen, Simmons, Stanley, Steel, Stubbs, Tate, Thomas, Turner, Tyson, Walker, (of Columbia) Warner, Weir, Williams, Wright, and Mr. Speaker: = 80

In the negative = Messrs: Ellenby and Montgomery = 2,

In the affirmative — 80
In the negative 2
Absent and not voting 11
93

So S.B. No 158 passed;

Mr. Dickinson moved to defer the special orders and take up

H.B.#68 H.B. No. 68.

Mr. Cunningham moved to amend by deferring the special orders, and take up the reports of the joint visiting Committee, on location of lunatic asylum;

Mr. Cunningham's amendment was adopted,

Mr Stubbs was called to the Speaker's chair.

On motion of Mr Barry, the House at 12 05/11 o'clock P.M. took recess until 2 o'clock P.M.;

After recess, at 2 o'clock, P.M.

The Speaker resumed the Chair, and the Clerk called the Roll.

The following members answered to their names: Messrs: Archer, Askew, Barnett, Barrier, Barry, Black (of Bowie) Black (of Randolph) Blackwood, Bobo, Braly, Brinkley, Britt, Brown (of White) Bumpass, Burrice, Burns, Carter, Chuck, Conway, Coody, Creekmore, Cunningham, Davidson (of Sharp) Davidson (of Izard) Dawson, Denby, Dickinson, Fishback, Flippin, Gillam, Greening, Hanly, Hare Harrison, Haider, Hatfield, Holmes, Hudson, Jordan, Joyner, Keith, Kemp, King, Lee (of Howard) Lee (of Newton) Lowdermilk, Mack, Martin, McConnell, McCracken, McMurtrey, Miller (of Ellis) Miller (of Conway) Minor, Montgomery Moore, Morris (of Stone), Murphy Owen Priddy, Quarles, Riddick, Richardson, Roden, Simmons, Stanley, Steel, Stubbs, Tate, Thomas, Turner, Tyson, Warner, Washburn, Weir, Williams, Wright, and Mr Speaker,

A Quorum Present,

Mr. Stubbs, was called to the Speaker's Chair.

The question recurring upon the consideration of the reports of the joint visiting committee on location of a lunatic asylum;

The Minority and the Majority reports were read; and

On motion the petition of certain citizens of White County and Searcy, in white County, in relation to the location of a lunatic Asylum, was read,

...

Mr Brinkley moved to adopt the minority report,

Mr. Cunningham moved, as a substitute for Mr. Brinkley's motion, to adopt the majority report,

Mr. Brown, (of White) moved, as an amendment to Mr. Cunningham's motion, to adopt the Petition from the citizens of White County, and Searcy;

Mr Babo moved to table the minority and majority reports, and the petition from White County and Searcy,

Which the House, by a rising vote of 45 to 15, agreed to.

So the reports and the petition were tabled,

Mr. Thomas moved that the members be allowed to put in nomination a location for the establishment of a Lunatic Asylum

Which was agreed to,

Mr. Purbush nominated Little Rock;

Mr. Barry nominated Snow Springs

Mr Cunningham nominated Hardaneed Springs

Mr. Brown (of White) nominated Searcy.

Mr Moore nominated Ozarc Institute.

Mr. Black (of Randolph,) nominated Rice's Springs

Mr. Turner nominated Waller's Springs

Mr. Payne nominated Sulphur Springs.

A message was announced from the Senate. Mr. Fatherly assistant Secretary of the Senate, appeared and read as follows:

Senate Chamber, March 10, 1879.

Mr. Speaker;

I am instructed by the Senate to inform your Honorable body of the passage of

H.B.#101 H.B. No. 101, An act to amend an act entitled "an act to regulate proceedings in County Courts in cases of Bastardy, and for other purposes" with the following amendment: add to section three the following: "And if such person shall refuse or neglect to enter into bond with security as above provided, the County Judge shall commit him to the jail of the County, there to remain until he shall comply with such order, or until he shall be otherwise discharged according to law." Also

H.B.#141 H.B. No 141, A Bill for an act to be entitled an act to make it larceny for the Executor, administrator, or guardian, to embezzle the effects of his testator, Intestate, or ward. Also,

H.B.#146 H.B. No. 146. A Bill to be entitled an act for the relief of purchasers of Internal improvement lands,

And herewith respectfully return the same.

Lou. T. Kretschmar,

Secretary.

I am also instructed to inform you of the passage again, notwithstanding the veto of the Governor, of

S.B.#47 S.B. No. 47, a substitute for S.B. No 36; a Bill to be entitled an act to abolish the office of Adjutant General, and for other purposes; and herewith respectfully transmit the same, together with the message of the Governor, relating thereto, for your favorable consideration;

Lou. T. Kretschmar,

Secretary.

The nominations being completed; the Clerk proceeded to call the roll upon the nominations:

The following members voted for Little Rock; Messrs Bobo, Brown (of Lee) Bunce, Conway, Dawson, Fairbrush, Gillam, Hatfield, Hudson, Mack, Maynard, Minor, Montgomery, Murphy, Warner, = 15:

The following members voted for Snow Springs: Messrs. Barnett, Bancer, Barry, Bumpass, Carter, Chick, Denby, Dickinson, Greening, Harrison, Holder, Jordan, Kemp, Lee (of Howard) McConnell, Miller (of Clark) Owen, Pindall, Richardson, Stubbs, Weir, and Mr. Speaker, = 22.

The following members voted for Dardanelle Springs: Messrs, Askew, Black (of Boone) Brinkley, Britt, Cunningham, Davidson, (of Izard) Fishback, Flippin, Lee (of Newton) Londermilk, Martin, McCracken, McMurtrey, Miller (of Conway) Morris (of Carroll) Morris (of Stone) Priddy, Stanley, Tate, Tyson, Washburn, = 21

The following members voted for Ozard Institute; Messrs. Breckinridge, Keith, Moore, Walker, (of Washington) Williams = 5.

The following members voted for Searcy, Messrs, Blackwood, Brown (of White) Burns, Coody, Hanly, Hare, King, Quarles, Riddick, Roden, Thomas, = 11.

The following members voted for Rices Springs, Messrs Black, (of Randolph), Davidson (of Sharp), = 2;
Mr Turner voted for Walker's Springs — 1
Mr. Payne voted for Sulphur Springs — 1

For Little Rock	15
" Snow Springs	22
" Dardanelle	21
" Searcy	11
" Ozark Institute	5
" Rices Springs	2
" Walker's Springs	1
" Sulphur Springs	1
	78
Necessary to a choice	40

No place having received a majority of all the votes cast a Second Ballot was ordered.

On motion of Mr. Cunningham, Rices Springs, Walker's Springs, and Sulphur Springs, having received the lowest number of votes, were dropped.

The clerk proceeded to call the roll upon the second Ballot.

The following members voted for Snow Springs; Messrs. Barnett, Barker, Barry, Black, (of Randolph) Bumpass, Burnett, Carter, Chuck, Demby, Dickinson, Greening, Hanly, Harrison, Holder, Hudson, Jordan, Kemp, Lee (of Howard) McConnell, Miller, (of Clark) Owen, Prindall, Richardson, Stubbs, Weir, and Mr. Speaker, = 26.

The following members voted for Dardanelle Springs; Messrs. Askew, Brinkley, Britt, Cunningham, Davidson (of Sharp) Davidson, (of Izard) Fishback, Flippin, King, Lee (of Newton) Lowdermilk, Martin, McCracken, McMurtrey, Miller (of Conway) Morris (of Carroll) Morris (of Stone) Priddy, Stanley, Tate, Tyson Washburn, = 22,

The following members voted for Little Rock; Messrs. Black (of Bone) Bobo, Brown (of Lee) Conway, Dawson, Furbush, Gillam, Holifield, Mack, Maynard, Minor, Montgomery, Murphy, Payne, Thomas, Stamer, = 16.

The following members voted for Searcy; Messrs Blackwood, Brown (of White) Burns, Coody, Hare, Quarles, Riddick Roden, = 8

The following members voted for Ozark Institute: Messrs. Braly, Creekmore, Moore, Turner, Walker (of Washington) Williams = 7

For Snow Springs:	26
" Dardanelle Springs.	22
" Little Rock,	16
" Searcy	8
" Ozark Institute	7
	79
Necessary to a choice	40

No place having received a majority of all the votes cast, a third Ballot was ordered,

Ozark Institute was withdrawn,

The clerk proceeded to call the roll upon the third Ballot,

The following members voted for Snow Springs, Messrs. Barnett, Barnes, Barry, Black (of Randolph) Bumpass, Burnett, Carter, Chuck, Demby, Dickinson, Greening Hanly, Harrison, Holder, Hudson, Jordan, Keith, Kemp, Lee (of Howard) Mc

Cornell, McMurtrey, Miller (of Clark) Owen, Pindall, Richardson, Roden, Stubbs, and Mr. Speaker, = 28.

The following members voted for Dardanelle Springs: Messrs. Akers, Braly, Brinkley, Britt, Burns, Creekmore, Cunningham, Davidson (of Sharp) Davidson (of Izard) Fishback, Flippin, King, Lee (of Newton) Lowdermilk, Martin, McCracken, Miller (of Conway,) Moore, Morris (of Carroll) Morris (of Stone) Priddy, Stanley, Steely, Tate, Turner, Tyson, Walker, (of Washington) Washburn, Williams, = 29.

The following members voted for Little Rock: (Messrs. Black (of Boone) Babo, Brown (of Lee) Conway, Dawson, Fairbush, Gillam, Holifield, Mack, Maynard, Miner, Montgomery, Murphy, Payne, Thomas, Warner, — 16,

The following members voted for Searcy: Messrs. Blackwood, Brown (of White) Coody, Hane, Quarles, Riddick = 6.

For Snow Springs	28
" Dardanelle Springs	29
" Little Rock	16
" Searcy	6
	79
Necessary to a choice	40

No place having received a majority of all the votes cast, a Fourth Ballot was ordered:

A message was announced from the Governor,

Mr. Joblyn, Private Secretary to the Governor, appeared and read as follows:

State of Arkansas Executive Office:
Little Rock, March 10th 1879.

To the Speaker of the House of Representatives:

Sir. Speaker: I have approved and signed the following Bills:

H.B. 209 — H.B. No. 209: An act to repeal all laws now in force under which Halford Bonds, or the Coupons thereof, are made receivable for lands of this State;

H.B. 95 — H.B. 95. An act to repeal an act entitled an act to repeal an act, entitled an act declaring Petit Jean Creek, a navigable Stream, approved Jany 10, 1861.

H.B. 269 — H.B. No. 269. An act to change the time of holding the Circuit Courts of the County of Washington.

H.B.# 103 N.B. No. 103, an act to make valid certain proceedings of the County Court of Grant County.

H.B.# 181. N.B. No 181, An act to amend sections one, two, and Five, and to repeal section three of an act entitled an act amendatory of existing laws regulating the sale of the lands of the State, approved December 13th 1875.

H.B.# 129 N.B. No. 129, an act to prevent the sale of ardent spirits within the corporate limits of magnolia, in Columbia County.

W.R. Miller,
Governor.

The clerk proceeded to call the Ballot upon the Fourth Ballot:

Searcy was withdrawn from nomination

The following members voted for Snow Springs: Messrs. Barnett, Barker, Barry, Black (of Randolph), Blackwood, Bumpass, Bunce, Carter, Coody, Denby, Dickinson, Greening, Hanly, Harrison, Holder, Hudson, Jordan, Keith, Kemp; Lee (of Howard) McConnell, Mc Murtrey, Miller (of Clark) Owen, Pindall, Quarles, Richardson, Roden, Steel, Stubbs, and Mr. Speaker, = 31.

The following members voted for Dardanelle Springs; Messrs. Askew, Black, (of Boone) Brinkley, Britt, Brown (of White) Burns, Celuck, Creekmore, Cunningham, Davidson (of Sharp,) Davidson (of Izard) Fishback, Flippin, King, Lee (of Newton,) Lowdermilk, Martin, McCracken, Miller (of Conway) Moore, Morris (of Carroll) Morris (of Stone) Priddy Stanley, Tate, Turner, Tyson, Walker, (of Washington) Washburn, = 29;

The following members voted for Little Rock; Messrs: Bobo Brown, (of Lee) Conway, Dawson, Furbush, Gilcam, Hare, Mack, (Maynard, Minor; Montgomery, Murphy, Payne, Riddick, Thomas, Warner, and Williams:- 17

For Snow Springs	31
" Dardanelle Springs	29
" Little Rock	17
	77
Necessary to a choice	39

No place having received a majority of all the votes cast, a fifth Ballot was ordered.

Mr. Richardson moved the previous question, Which was ordered;

And the question being shall the Clerk proceed to call the roll upon the 5th ballot; It was so ordered by the House.

The Clerk proceeded to call the roll upon the 5th Ballot.

The following members voted for Snow Springs: Messrs. Barnett, Barker, Barry, Britt, Bumpass, Burrce, Carter, Coody Denby, Dickinson, Greening, Hanly, Harrison, Hudson, Jordan, Keith, Kemp, Lee (of Howard) McConnell, McMurtrey, Miller (of Clark) Owen, Pindall, Quarles, Richardson, Rodgers, ~~Stanley~~, Simmons, Stubbs, Walker, (of Columbia) Weir, and Mr Speaker, = 31.

The following members voted for Dardanelle Springs: Messrs Archer, Askew, Brinkley, Brown (of White) Burns, Celuck, Creekmore, Cunningham, Davidson (of Izard) Flippin, Fraser, Holmes, King, Lee (of Newton) Lowdermilk, Martin, McCracken, Miller (of Conway) Moore, Morris (of Carroll) Morris (of Stone) Priddy Stanley, Tate, Turner, Tyson, Walker, (of Washington) = 27.

The following members voted for Little Rock: Messrs. Bobo, Conway, Dawson, Furbush, Gillam, Joyner, Mack, Maiward, Miner, Montgomery, Murphy, Payne, Riddick, Warner, Williams, = 15.

For Snow Springs =	31
" Dardanelle Springs =	27
" Little Rock —	15
	73
Necessary to a choice	37

No place having received a majority of all the votes cast, a Sixth Ballot was ordered.

The Clerk proceeded to call the roll upon the 6th Ballot,

The following members voted for Snow Springs: Messrs. Askew, Barnett, Barker, Barry, Bobo, Britt, Brown (of White) Bumpass, Burrce, Carter, Coody, Denby, Dickinson, Greening, Hanly, Harrison, Hudson, Jordan, Keith Kemp, Lee (of Howard) McConnell, McMurtrey, Miller (of Clark) Owen, Pindall, Quarles, Richardson, Rodgers, Simmons, Stubbs, Walker, (of Columbia) Weir, Mr. Speaker = 34.

The following members voted for Dardanelle Springs: Messrs. Archer, Brinkley, Burns, Celuck, Creekmore, Cun-

ningham, Davidson, (of Dgard) Flippin, Fraser, Holmes, King, Lee (of Newton) Lowdermilk, Martin, McCracken, Miller (of Conway) Moore, Morris (of Carroll) Morris (of Stone) Payne Priddy, Stanley, Tate, Turner, Tyson, Walker (of Washington) Williams, = 26,

The following members voted for Little Rock: Messrs, Conway, Dawson, Furbush, Gillam, Hare, Holifield, Joyner, Mack, Maynard, Minor, Montgomery, Murphy, Riddick, Warner, = 14,

For Stone Springs	34,
For Dardanelle Springs	26,
For Little Rock	14
	74
Necessary to a choice	38,

On motion, Mr. Weir was granted indefinite leave of absence,

No place having received a majority of all the votes, cast, a Seventh Ballot was ordered,

Mr. Moore moved to postpone the further calling of the roll, and take up the Bill for consideration,

Which was not agreed to,

The Clerk proceeded to call the roll upon the Seventh Ballot:

The following members voted for Snow Springs, Messrs, Askew, Barnett, Barker, Barry, Black, (of Randolph) Bobo, Brown (of White) Bumpass, Bunce, Carter, Coody, Demby, Dickinson, Greening, Hanly, Harrison, Holder, Hudson, Jordan, Keith, Kemp, Lee (of Howard) Lee (of Newton) Lowdermilk, McConnell, McMurtrey, Miller (of Clark) Owen, Pindall, Quarles, Richardson, Roden, Simmons, Stanley, Steel, Stubbs, Turner, Tyson, Walker, (of Columbia) Weir, Wright, Mr Speaker, 42;

The following members voted for Dardanelle Springs, Messrs, Archer, Black (of Boone) Braly, Brinkley, Chick, Creekmore, Cunningham, Davidson (of Sharp) Davidson (of Dgard) Fishback, Flippin, Fraser, Holmes, King, Martin, McCracken, Miller, (of Conway,) Morris (of Carroll) Morris (of Stone) Priddy, Tate, Williams, = 23,

The following members voted for Little Rock, Messrs Burns, Conway, Dawson, Furbush, Gillam, Hare, Holifield, Joyner, Maynard, Minor, Montgomery, Murphy, Riddick, Warner = 15,

For Snow Springs =	42
" Dardanelle Springs	23
" Little Rock	15
	80
Necessary to a choice	41

Snow Springs, having received a majority of all the votes cast was declared the choice of the house for the location of the Asylum for the Insane.

H.B. # 68. On motion of Mr. Hanly, H.B. No. -68 was then taken up for the filling up of the blanks therein.

Mr. Hanly moved to insert "Garland" before "County" in section 4 and section 16:; which amendment was read first time.

On motion, the rules were suspended, and the amendment was read a second time; and adopted.

Mr. Barry moved the following amendment;
"Add to the end of first section the words "which shall be located at Snow Springs, in Garland County." which was read a first time.

On motion, the rules were suspended, and the amendment was read a second time, and adopted.

Mr. Cunningham moved to reconsider the ballot by which Snow Springs was selected as the site of the Asylum for the insane; the same being the Seventh ballot.

On motion of Mr. Bobo, the House went into Committee of the whole for the consideration of H.B. No 68, with
Mr. Braly in the Chair.

After some time spent in Committee of the whole, the Committee of the whole arose, and Mr. Stubbs resumed the Speakers chair.

Mr Braly, Chairman of Committee of the whole, reported progress, and asked leave to sit again to-night at 7 30 o'clock, which report was adopted by the House.

On motion of Mr. Fishback, the House at 5.52 o'clock P.M. took a recess until 7 30 o'clock P.M.

After recess, at 7 30 o'clock P.M.

The Speaker resumed the Chair, and the clerk called the roll.

The following members answered to the names: Messrs. Archer, Askew, Barnett, Barrier, Barry, Black (of Boone) Black, (of Randolph) Blackwood, Bobo, Braly, Brinkley, Britt, Brown (of White) Bumpass, Burnie, Burns, Carter, Chuck, Conway, Crosby, Crossmore, Davidson (of Sharp) Davidson, (of Izard) Dawson, Denby, Dickinson, Fishback, Flippin, Fraser, Furbush, Gillam, Greening, Hanly, Hare, Holder, Holifield, Holmes, Hudson, Jordan, Joyner, Keith Kemp, King, Lee (of Howard) Lee (of Newton) Lowdermilk, Mack, Martin, McConnell, McCracken, McMurtrey, Miller (of Clark) Miller (of Conway) Minor, Montgomery, Moore Morris (of Stone) Murphy, Owen, Pindall, Priddy, Quarles, Riddick, Richardson, Rodens, Simmons, Stanley, Steel, Stubbs, Tate, Thomas, Turner, Tyson, Walker, (of Columbia) Walker (of Washington,) Warner, Washburn, Weir, Williams and Mr. Speaker.

Quorum Present.

Mr. Stubbs was called to the Chair of the Speaker.

On motion, Mr Morris (of Carroll) was excused on account of sickness.

On motion of Mr. Walker, (of Washington) the Special orders were deferred, and leave granted him to introduce a Bill: Whereupon,

Mr Walker, (of Washington) introduced

H.B. 338. H.B. No. 338; "A Bill entitled an act for the relief of Alvin L. Christian." Which was read a first time.

On motion, the rules were suspended, and the Bill was read a second time

Mr. Dawson moved to make the Bill the Special order for tomorrow at 12 o'clock M, in Committee of the Whole.

Mr. Simmons moved to table the Bill. Which was lost.

The question recurring upon the motion of Mr Dawson to make the Bill the Special order for tomorrow at 12 o'clock M;

The motion was adopted.

Mr. Fishback arose to a question of privilege, and moved that he be allowed to introduce the report from the Committee appointed to investigate the charge of bribery.

Which motion was adopted by the House: Thereupon Mr. Fishback sent to the Clerk's desk the following:

Mr. Speaker:

The undersigned, members of your Committee which was charged with the duty of investigating the alleged attempt at bribing members of the House in the late Senatorial election, have directed me to report that under the House's amendment to the original resolution calling for the investigation, they have felt it their duty to admit a large amount of testimony which could not be justified by the ordinary rules of evidence, if it indeed could be justified by the ordinary rules of propriety. Yet notwithstanding the enlarged scope of their inquiry, your Committee have failed to find in the testimony before them any evidence whatever reflecting either directly or indirectly upon the Hon R. M. Johnson, or upon his conduct of the Senatorial contest. But his record in this, as in all other and previous contests stand above reproach, and above suspicion,

Nor do your Committee find anything in the testimony which implicates either directly or indirectly the Hon. J. D. Walker in any attempt to bribe any member of the General Assembly, while his life-long integrity forbids all idea of such a supposition

In regard to the members of the House, there is no testimony which shows that any member received a bribe for his vote in the Senatorial election, and no satisfactory evidence that any offer of a bribe was made to any member.

Nor do your Committee find any testimony that any money was on deposit, or was used by or for any Senatorial candidate in influencing votes for Senator.

But your Committee would respectfully call the attention of the House to the fact that the testimony taken before them being all in pencil is not in as durable a shape as in justice to the parties concerned, it should be; It would ~~be~~ seem to be due to the House, no less than to your Committee, that the testimony should be reduced to a permanent shape, that parties concerned may have an opportunity of testing the correctness of the conclusions at which your Committee have arrived. They would therefore recommend the passage of the following resolution:

Resolved: That the Committee on the Bribery investigation be authorized to have the testimony taken before them copied in ink, and under the supervision of the Committee; and that said Committee be discharged from further consideration of the subject of this investigation

M. M. Fishback, Chairman,
Sam N. Davidson,

Jas. S. Steel,
W. S. Black,
J. S. Thomas,

Mr Braly sent to the Clerk's desk the following minority Report:

The undersigned, a minority of your committee appointed to investigate and ascertain whether or not any members of this House were offered or received a bribe to influence his vote in the recent Senatorial election, are of the opinion that while a proper discharge of the duty involved upon them, rendered it necessary to admit testimony which could not be justified by the ordinary rules of evidence as applied in courts of justice; yet we fail to see, in the scope we have given the investigation any infringement of the ordinary rules of propriety.

Your minority fully agrees and concurs in the majority report in regard to the Hon. R.M. Johnson and the Hon J.D. Waller, and would add that the same is true of the other Senatorial candidates.

Your minority are further of the opinion that there is no evidence before this committee indicating that any member of this House has received any bribe or valuable consideration to influence his vote in the recent Senatorial election; but that the peculiar, conflicting, and contradictory character of the testimony taken renders it impossible for your Committee to say with positive certainty whether or not any such offer was made, and therefore desire to submit the testimony taken for your consideration.

Braly.

Mr. Tate offered the following resolution; to-wit;

"Resolved, That the reports of the Committee lay on the table, and that 500 copies of the evidence taken by the Committee ~~taken~~ be printed for the use of this House of Representatives"

Tate.

Mr. Montgomery moved to table the resolution; which motion was agreed to by the House, and the resolution tabled.

Mr. Barnett moved that both reports of the Committee lie on the table, and that 500 copies of the evidence be printed.

Mr. Riddick moved that Mr. Barnett's motion lie on the table. which motion was lost.

The question recurring upon the motion of Mr. Barnett, the ayes and nays were called for, and the call being

tained, the Clerk proceeded to call the roll,

The following members voted in the affirmative: Messrs. Barnett, Barry, Black (of Boone) Braly, Brinkley, Cheek, Conway, Cowdy, Davidson (of Sharp) Davidson (of Izard) Denby, Fishback, Flippin, Greening, Holifield, Hudson, Jordan, Lee (of Newton) McCracken, Moore, Pindall, Priddy, Quarles, Stanley, Steel, Stubbs, Tate, Tyson, Walker (of Columbia) Walker (of Washington) = 30,

In the negative: Messrs. Archer, Askew, Barker, Black (of Randolph,) Bobo, Britt, Brown (of White,) Bumpass, Bunce, Burns, Carter, Cheekmore, Dickinson, Fraser, Furbush, Gilliam, Hanly, Hare, Holder, Holmes, Joyner, Keith, Kemp, King, Lee (of Howard) Lowdermilk, Mack, Martin, McConnell, Minor, Montgomery, Morris (of Stone) Murphy, Owen, Riddick, Richardson, Roden, Simmons, Turner, Warner, Washburn, Williams, Wright and Mr. Speaker, = 44;

So the motion of Mr. Barnett was lost,

Mr Dawson was excused from voting,

A message was announced from the Senate;

Mr. Fatherly, assistant Secretary of the Senate, appeared and read as follows:

Senate Chamber, March 10, 1879,

Mr. Speaker:

I am instructed by the Senate to inform your honorable body of the passage of

H.B. #133. S.B. No. 183. "An act entitled an act for the relief of the purchasers of the Arkansas Institute for the blind, situated in the City of Arkadelphia, in Clark County,"

And herewith return the same,

Lou. T. Kretschmar,

Secretary,

Mr. Bobo moved that the matter of the reports of the Committee on investigation of the charge of bribery, be postponed, and made the special order for to-morrow at 7.30 o'clock, P.M.; and that the Committee be instructed to produce the evidence taken in the investigation, to the House,

Which was so ordered by the House,

Mr. Conway moved to take up Special order S.B. No. 307,

Mr. Williams moved to defer the special order, and take up S.B. No. 47

Barry moved, as an amendment, that the House go into Committee of the whole, for the consideration of Special order

H.B. No 68; which motion was adopted; and the House went into Committee of the whole for the consideration of said H.B. No. 68. with Mr Braly in the Chair.

After some time spent in Committee of the whole, the Committee arose, and Mr. Stubbs resumed the Speaker's Chair.

H.B. No 68. Mr. Braly, Chairman of Committee of the whole, reported back to the House H.B. No. 68, with the recommendation that the Bill as amended by the Committee, do pass.

The amendments from the Committee of the whole are as follows:

1st amendment; Strike out "a sum not exceeding" and insert in lieu thereof "the sum of" in the third section of the amendment.

2d amendment; Strike out "Seventy-five" and insert "forty" in same section.

The amendments were read first time; and under suspension of the rules, the amendments were read a second time, and adopted;

On motion of Mr. Hanley, the Bill was ordered engrossed; and made the special order for tomorrow immediately after the reading of the journal.

Mr. Murphy rose to a question of privilege, and presented the following resolution, which was sent to the Clerks desk,

Whereas, On the 20th day of February this House seated J.R. Montgomery in his contest against Martin Sinnat; and Whereas, at this time, the house declared Granville Ryles entitled to the seat then and still occupied by E.L. Maynard; and Whereas, on the motion to reconsider in the case of said Ryles against Maynard, it was stated by the advocates of the reconsideration that the election committee, that said committee would report in two days; and as no report has yet been submitted by said committee although over two weeks have passed therefor,

Resolved, that the election Committee be instructed to report and present all the papers and evidence in this case to this House Tuesday morning at 10 o'clock

Murphy.

Mr Quarles moved to defer the special order and that the Election committee be allowed to make a report in the

contested election case of Ryles v. Maynard; which motion was carried;

Mr. Britt, from Committee on election, presented the following majority report; to wit;

"Mr. Speaker. A majority of the election Committee report that they have had the contested election case of Granville Ryles, contestant, against E. L. Maynard, under consideration, and after an investigation of the said case, state that they are of the opinion that the said E. L. Maynard is entitled to his seat.

G. D. Britt.
M. H. Furbush,
E. L. Lowe,
A. B. Brinkley,

Mr. Babo, from same Committee, presented the following minority report;

Mr. Speaker: As a member of your Committee on elections, I submit the following report in the case of Ryles v Maynard, for a seat in this House.

1st, That the record evidence in the proper office shows that according to the return of the proper officers Maynard received 2551 votes, and Ryles 2396 votes in Pulaski County,

2d The poll books further show (See the evidence of Worthen, and the poll books on file in this office) that in the Townships of young in said County all the votes cast for said Maynard, to wit; 45 were counted and added in his total number received in said County, while the votes cast in said township for said Ryles, to wit 112, was not counted but was thrown out on the ground that they were not dated, and that said informality was not a valid objection to the counting of said votes,

That said 112 votes ought to be counted for the said Ryles, and added to his general aggregate, which would make the same 2508 votes, or 43 votes behind the said Maynard, This is the way the votes stand, admitting the returns to be correct from Eastman Township, which is denied by Ryles, and supported by uncontradicted evidence, but whether the evidence is sufficient to overthrow the prima facie case made out by the returns from said township was deemed immaterial;

3d In Ashley Township in said County, according to the evidence of Mallon, Wm Adams, B. A. Foster, Nat Egbert, G. D. Johnson, and Ferguson, there was a free and fair election held at the proper time and place to elect members to this General Assembly; that at said election Maynard received 33 votes, and Ryles 228 votes,

And further, that the ballots and poll books were

last, and the votes cast in said Township counted for no one. That the votes cast ought to be counted; add what Maynard received to his aggregate number, and he will 2584 votes; add what Ryles received, and he will have 2736 votes, or 152 votes ahead of Maynard.

We respectfully refer to the evidence submitted in the above case to support this report, and say that from the above Statement and the evidence Ryles was elected, and Maynard was not, to a seat in this House.

Cecil Bobo.

Mr Simmons moved to adopt the majority report.

Mr Dawson moved as a substitute to adopt the minority report.

Mr. Conway moved the previous question, which was ordered;

and the question being upon the substitute of Mr. Dawson

Mr Murphy called for the ayes and nays; and the call being sustained, the clerk proceeded to call the roll,

The following members voted in the affirmative; Messrs Archer, Askew, Barnett, Black (of Randolph) Bobo, Brooks, Creekmore, Dawson, Hembry, Hutchinson, Flippin, Fraser, Funbush, Holifield, Jordan, Keith, Lee of Newton, Mack, McConnell, Montgomery, Murphy, Payne, Pindall, Priddy, Quarles, Stubbs, Turner, Tyson, Warner, Washburn, Williams, Wright; 32.

In the negative: Barker, Brinkley, Britt, Bumpass, Conway, Davidson (of Sharp) Davidson (of Izard) Fleming, Hare, Holder, Holmes, Kemp, King, Lowdermilk, Miller (of Conway,) Minor, Morris (of Stone) Owen, Simmons, Tate, Walker, (of Columbia,) and Mr Speaker, 22;

So the minority report was adopted,

H.B. 307) H.B. No. 307, being the special order, was taken up and read a second time,

On motion, the rules were suspended, and the Bill was read the third time;

On motion, the further consideration of the Bill was deferred, and the Bill made the special order for to-morrow morning.

Mr McConnell moved for a call of the House which being ordered

The clerk called the roll when the following named members were found present
Mess. Askew, Barnett, Bobo, Brinkley, Britt, Bumpass, Clark, Conway, Coody, Creekmore, Davidson of Shark, Davidson of Izard, Harrison, Hinkley, Dickinson Fraser, Furbush, Greening, Hanley, Hare, Hatfield, Jordan, Kent, Kemp, Law of Newton, Lowe-Hudson, Martin, McConnell, McCracken, Miller of Conway Minor, Montgomery, Moore, Morris of Stone, Owens, Paisley, Riddick, Rogers, Quarles, Richardson, Rodgers, Stanley, Stubbs, Tate, Turner, Upton, Walker of Columbia, Warren, Washburn, Williams, Wright & Mr Speaker 51.
a quorum found present

SB 42 On motion of Mr Minor the Special order was deferred and SB No 42 taken up

and under a suspension of the rules the bill was read the first time and
Upon a further suspension of the rules the bill was read a second time and made Special order for to morrow at 2 oclock P M

On Motion of Mr Upton the Special order
HB 169 was again deferred and HB No 169 taken up and
Upon a suspension of the rules
HB No 169 was read the first time

Mr Furbush moved for a call of the House which being sustained

The clerk called the Roll
The following members were found present
Mess Askew, Black of Randolph, Brinkley, Creekmore, Davidson of Shark, Davidson of Izard, Hopkins, Fraser, Furbush, Greening, Hare, Hatfield, Joyner, Kemp, Martin, McConnell, McCracken, Miller of Conway, Minor, Morris of Stone, Owens, Paisley, Quarles, Riddick, Rogers, Stubbs, Turner, Upton, Walker of Columbia, Warren, and Mr Speaker 31.
not a quorum present

On motion of Mr Riddick the Sergeant at Arms was instructed to bring in absent Members

Pending the search for absent members
On motion of Mr Morris of Carroll the
House at 12 o'clock P.M adjourned

John G. Holland
Clerk

J. T. Brandon
Speaker